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The poster features a collage of images from various reality TV shows. At the top center is a group of seven people from 'The Rich Kids of Beverly Hills'. To the left, a man and a woman are featured from 'The Chase'. To the right, a close-up of a man in a chef's uniform is from 'Hell's Kitchen'. Below 'The Chase' is a man and a dog from 'Cesar 911'. A large, diagonal yellow banner with the words 'CRIME SCENE' in black letters runs across the middle right. Below this banner is a man from 'The First 48'. At the bottom right, two men in tactical gear are from 'Rocky Mountain Bounty Hunters'. The background is a dark, abstract pattern of red and black geometric shapes.

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Fenton Bailey and Randy Barbato, co-founders of prodco World of Wonder, are two of 2014's Trailblazers.

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2014, IN UNDER 500 WORDS

As I write this, the *realscreen* team has just wrapped its Secret Santa lunch (thank you for the lovely decanter, Santa, whoever you may be) and is in the final stages of wrapping the first issue of 2015. Every year, we use this issue to both look forward – via our Trailblazers feature, which salutes the innovators and risk-takers of the non-fiction and unscripted content industry – and look back at the year that was through our Year in Review report. We also solicit industry feedback through our slightly irreverent year-end questionnaire, in which we ask various execs from across the factual spectrum to reflect on the highlights and lowlights of the past year. Looking at some of the responses to this year's questionnaire, I thought I'd have a go myself. So without further ado, how was it for me?

My favorite documentary of the past year:

While in London for our first UK event, Realscreen London, I was able to happen upon Channel 4's riveting *The Paedophile Hunter* from Dan Reed's Amos Pictures. A brave piece of work on many levels.

I never thought they'd make a program about:

A snake eating someone on camera – and judging from the results, the snake also found the idea a bit far-fetched.

The doc people will still be talking about five years from now is:

Citizenfour.

In 18 months, no one will be talking about:

The health of the unscripted industry, as a smash hit will emerge out of nowhere, as it always does (why not be optimistic at the start of a new year?).

The most positive development in the non-fiction content industry is:

Emerging cable networks taking chances on risky programming – chances that occasionally pay off for the viewer and the network alike.

The most troubling development in the film and television industry is:

The evolving story of the Sony Pictures Entertainment hack and the aftermath. While the idea of a Seth Rogen film becoming the flash point for an international incident sounds like something out of *South Park*, the thought of a film being pulled from release under threats of violence is far from funny.

If 2014 taught me one thing it was:

Cooking meals with a two-year-old as your sous chef takes twice as long as usual.

The buzzword I don't want to hear in 2015:

"Circle back," which means I also have to stop saying it myself.

My New Year's resolution for 2015 is:

Too sappy and sentimental for general consumption. And on that note...

Cheers,
Barry Walsh
Editor and content director
realscreen

January + February 15 Volume 18, Issue 3

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New year, new faces

It's the time when we take pause and reflect on the year that has passed, figure out and be grateful for what's working, and resolve to make changes for the better.

One of the things that I am most grateful for is my team. It may sound cliché, but I am truly fortunate to be supported by a team of passionate and dedicated individuals who love the brand and the industry we serve. We really do have a *realscreen* family, and I believe that special bond shines through in our work. Most people seem genuinely surprised when they learn just how small the team is. And frankly, what it pulls off sometimes verges on the miraculous.

It's with some mixed emotion that I can share that Lisa Faktor, our senior account manager for the last four years, has been promoted to associate publisher of *realscreen* sister brands *strategy* and *Playback*. As her clients will confirm, Lisa provides superior service and support and while she will be sorely missed, she truly deserves this opportunity to advance her career, and we wish her continued success. Lisa started with us on a one-year maternity leave contract covering for Kerry LaiFatt, who decided to stay home with her daughter. Until now, that is. I'm thrilled that Kerry has returned to *realscreen* as senior account manager, and as Kerry Lanctot, as she's decided to assume her husband's last name.

In other team news, Manori Ravindran, who joined us as staff writer a year ago covering for Kelly Anderson's maternity leave, is now with us in a permanent capacity. Manori hit the ground running and has fully immersed herself in the world of documentary and unscripted entertainment, and Barry and I are delighted that we are able to keep her within the ranks as we anticipate Kelly's return.

So we're firing on all cylinders and looking forward to working with you all as we move into 2015.

'Til next time, go well.
Claire Macdonald
VP & Publisher
realscreen

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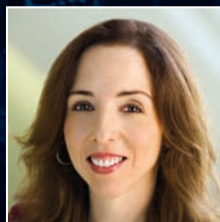
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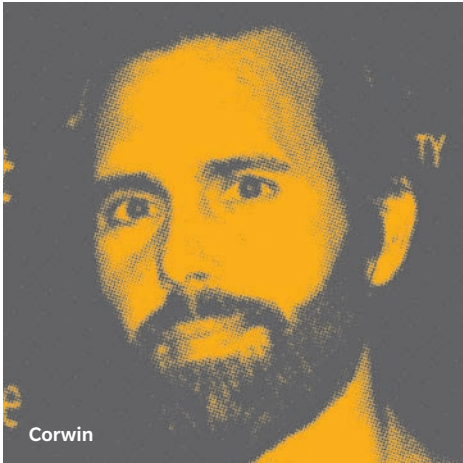
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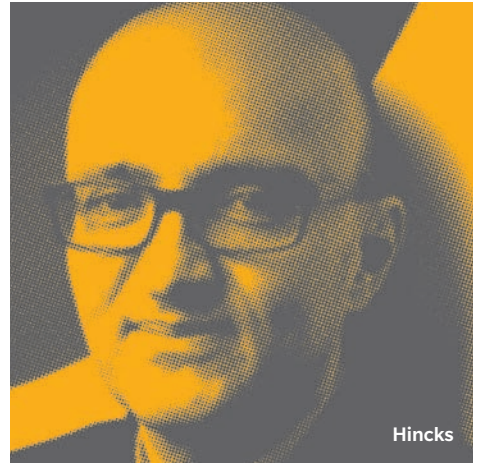
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ENDEMOL SHINE GROUP LAUNCHES

BY MANORI RAVINDRAN

Following the completion of regulatory approval, the Endemol-Shine Group-Core Media joint venture has launched under the tentative title of Endemol Shine Group.

The newly merged entity has also finalized more staff changes, including the promotion of Cathy Payne to CEO of the companies' combined sales and distribution unit, and the departure of Shine International CEO Nadine Nohr.

The launch has come relatively soon after Rupert Murdoch's 21st Century Fox and Apollo Global Management finalized the merger of the Fox-owned Shine Group with the Apollo-controlled Endemol and Core Media Group, which – now combined – have creative operations in more than 30 markets. Later in October, Tim Hincks was named president of the merged group, alongside CEO Sophie Turner Laing.

21st Century Fox and Apollo Global Management each owns 50% of Endemol Shine Group, while Core Media will continue to retain its own capital structure. The company began formal operations as Endemol Shine Group on January 1.

In December, the company also revealed plans to integrate sales and distribution operations, with Shine International and Endemol Worldwide Distribution being

combined into one business and Payne – the current CEO of Endemol Worldwide Distribution – taking on the role of CEO for the integrated business. Nohr is to work with the exec on combining the two operations before stepping down.

"Shine International and Endemol Worldwide Distribution are both world-class operations and by uniting them we bring together two outstanding teams, an exceptional and diverse catalog of

take on the role of Endemol Shine Group's group commercial officer, in which he will oversee distribution and legal affairs.

Meanwhile, serving as Endemol Shine Group's co-CEOs of international operations are Gary Carter – Shine's chairman for Northern Europe and Shine 360 – and Martha Brass, Endemol's chief operating officer. Carter will oversee operations in Germany, Austria, Switzerland, the Nordics, the Netherlands, Belgium, Russia, Central

The merger of Endemol, Shine Group and Core Media gives the new entity creative operations in more than 30 markets.

programming across multiple genres, and a broader network of sales professionals embedded in markets around the world," said Turner Laing in a statement.

Endemol's chief financial officer Edwin van Es is to maintain the same position at Endemol Shine Group, while Shine's finance director Tom Fussell will step down in 2015 after helping transition the company's financial operations. Elsewhere, Boudewijn Beusmans – the former chief legal and business affairs officer at Endemol – will

and Eastern Europe, the MENA region, Turkey and South Africa. Brass will manage France, Italy, Spain, Portugal, Australia, India, China, Southeast Asia, Latin America and Israel.

Elsewhere, Shine's director of communications Patrick Keegan and Endemol's global head of public relations Charlie Gardner have been named co-directors of marketing and communications, with Keegan based in London and Gardner relocating to LA.

As previously reported, Endemol's Charlie Corwin and Cris Abrego will serve as co-chairmen and co-CEOs of the joint venture's North American operations. In addition, Peter Hurwitz is to serve as president of Core Media and Scott Frosch will serve as chief financial officer. Jen O'Connell will continue to helm the company's television development team.

Presently, Endemol Shine Group is in the process of firming up business structures in countries where both Endemol and Shine currently operate, and has thus far completed the process in France and Germany. The company intends to integrate its international businesses throughout the first half of 2015.

Endemol Germany MD Marcus Wolter will lead the combined businesses as CEO of Endemol Shine Germany, while Shine Germany deputy CEO Holger Rettler has been named director of the newly created label 'Show,' which is to produce entertainment series for Endemol Shine Germany. After a period of transition, CEO of Shine Germany Axel Kuehn will leave the business in early 2015.

Over in France, Endemol and Shine's operations will remain independent. The companies will continue to be led by Endemol's Nicolas Coppermann and Shine's Thierry Lachkar, who will stay on as CEOs.

Finally, Endemol and Shine's London-based sales, distribution and group teams are to be united in 2015 at one location, while Endemol Shine Group will be headquartered in Amsterdam, Holland.

"For the group and distribution teams of Endemol and Shine to be united, they need to be able to work under the same roof as one, which we hope to be by the spring of 2015," said Turner Laing.

"The rationale for the name is equally simple. By combining Endemol and Shine in alphabetical order we're launching with a strong identity that says who we are and which will be recognized across the industry.

"We will review this as we work together and the group evolves over the first year," she added.

POINTED ARROW: A Producer's Perspective

BY JOHN SMITHSON

It's been a year most of the U.S. factual networks will want to forget.

There's been huge pressure on ratings. Hit shows continue to deliver but with shrinking numbers. The "big new things" such as bold live events and ambitious scripted series are down from the astronomic heights of the previous year. The everyday shows that fill out the schedules are getting pummeled.

Do you consolidate or innovate? Networks can batten down the hatches, continue doing what they do well and hope for some improvement. Those lucky to have big international operations can breathe more easily, as here there is still real growth.

But the big hope is that they will find a new breakout hit from some unexpected quarter. Gallingly, the breakouts seem to come from elsewhere. I've lost count of the number of people who have told me about *Serial*, which is essentially a high-quality radio program. Yet this crime-based podcast has been a global hit, topping the iTunes charts for weeks.

Sadly, there's nothing that's bucked the trend in the UK. A few of the really big shows continue to do brilliantly well, but then there is a sea of indifferent or disappointing ratings performances.

Not only does it seem that it has been a year of so-so ratings, but it has also been relatively lackluster creatively. In "What's the Buzz?", a session produced by my Arrow colleagues for the last edition of the World Congress of Science and Factual Producers in Hong Kong, a global survey of the innovative and groundbreaking brought up a not very "buzzy" collection. Reassuringly, there was some high-quality stuff with some clever little twists, but nothing that truly had the "wow" factor.

At least the last-minute switch of venue from Beijing to Hong Kong and the dark cloud hanging over factual TV in China did not diminish the success of the Congress.

Despite its full name, the Congress is in truth a gathering of the world's specialist factual producers. Specialist factual is a funny old phrase,

originating from my homeland, and it feels a little anachronistic in these days of hybrid genres and blurred creative boundaries. Yet it does claim some of the most innovative shows around – shows that, encouragingly in these harsh times, audiences actually want to watch. Perhaps it's because the genre has a rich seam of compelling stories. It's no coincidence that Academy Award winners *The King's Speech* and *Argo*, and this year's features *The Imitation Game* and *The Theory of Everything* all have specialist factual DNA. It's something I look forward to pursuing further on a panel exploring new trends in the genre at the Realscreen Summit in Washington DC.

And on the topic of features, it's that time of the year when theatrical documentaries become highly visible. In part, it's the run-up to the big film awards – especially the Oscars and the BAFTAs – where feature docs get their moment in the spotlight, lining up alongside the big, flashy narrative films.

Also it's when the next wave of docs emerges, as the festivals, especially Sundance, announce their doc picks.

It's a genre I've always loved. If they work, they can be rewarding creatively and, occasionally, even commercially. I've had to put them on the backburner while we focus on growing our company, but I'm delighted to be back in the game with a film soon to emerge from the cutting room.

It's a mixed blessing that there are so many feature docs around. A long-list for the BAFTA best feature doc honor revealed lots of titles I'd never heard of. I'm sure there will be some real gems, but there remains an endemic problem of quality control and over-supply. It does rather burst the feel-good bubble about the genre when you know most of these films could quite probably sink without a trace.

John Smithson is creative director of Arrow Media, an indie he co-founded in 2011. Previously he was chief executive at Darlow Smithson Productions.

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LIGHTHEARTED'S HOWARD SCHULTZ PASSES ON

Howard Schultz, the founder and CEO of U.S. indie Lighthearted Entertainment, passed away unexpectedly on December 29 at the age of 61.

Schultz, who launched Lighthearted in 1992 and exec produced ABC's *Extreme Makeover*, died while vacationing with his family in Hawaii.

In a statement, Lighthearted's exec VP Rob LaPlante paid tribute to his colleague.

"Beyond Howard's incredible television acumen existed a man who truly cared for everyone he encountered, in a way unique from anyone I have ever met," he said, adding: "TV has lost a visionary mind, and we have lost a mentor in life."

Further details concerning Schultz's passing were not available at press time.

Through Lighthearted, Schultz exec produced shows such as *Are You the One?* (MTV), *Dating Naked* (VH1), *Bye Felicia!* (VH1), *Next!* (MTV) and *The Moment of Truth* (Fox).

Schultz most recently expanded Lighthearted's ownership group by making LaPlante and VP Jeff Spangler co-owners in the company, as revealed by *realscreen* in December.

"Obviously, everything that's happened from that relationship is sort of the secret sauce," Schultz told *realscreen*, regarding the company's current success and the relationship between the three co-owners. "We all feel it, we all experience it happening."

LaPlante and Spangler "will continue to carry the Lighthearted banner in Schultz's wake," according to a statement from the company.

Adam Benzine



BEST PRACTICES: PROFESSIONALISM IN THE WORKPLACE

BY CHRIS PALMER AND
SHANNON LAWRENCE

We all strive to be "professional" – but what does that even mean? It's more than wearing a business suit and sitting in a large leather chair at the head of a conference table. Professionalism applies to everyone in every industry, from the entry-level worker all the way up to the chief executive. It implies a specific type of comportment, thought process, and, yes, how you look.

Learning about and sharpening your professional skill set can bolster your reputation in your industry and improve your industry relationships. There is a long list of professional attitudes, actions, and behaviors. Here are 10 tips on professionalism to help you get started:

Arrive on time. The saying goes, "If you're not fifteen minutes early, you're late." Punctuality is essential to professionalism; many businesses operate on tightly budgeted time schedules. By arriving to all meetings and work functions promptly, you demonstrate respect for your colleagues and their time. Your punctuality also marks you as a reliable individual.

Complete work in a timely manner. All work environments consist of teamwork in varying degrees. Make sure that you are a supportive member of the team by completing your work on time.

Don't overshare. In the age of social media, it's common practice to broadcast every minute detail of your life. Trust us: none of your co-workers need a play-by-play of your personal life.

Lean in. Being professional is also about how you contribute to your organization's goals. Be sure to actively participate in meetings and during projects.

Look the part. The old adage "dress for success" still stands. Don't wear sloppy or inappropriate clothing to work. Make sure that you are dressed appropriately for your industry in order to be taken seriously by your colleagues.

Don't gossip. Being professional means being respectful of your peers. Whether you like a colleague or not should not get in the way of your professional relationship with him or her. It is rude and disrespectful to talk about your colleagues behind their backs.

Remain positive. Being professional means staying positive about your organization and being a considerate team member when at work. Encouraging your team and showing appreciation for their work fosters an efficient work environment.

Give credit where credit is due. If you are working on a team project or any collaborative idea, make sure that everyone involved is properly attributed. No one likes to feel as if their work has been stolen.

Keep your promises. Nothing is worse than when someone reneges on his or her responsibilities. When you say you are going to do something, do it. Don't leave tasks incomplete or worse, unaddressed. Unreliability is not professional.

Put your best foot forward. Make sure that you produce high-caliber work. You can promote your reputation in the professional sphere by consistently working for quality. Don't just make your work passable; make it exceptional.

Professionalism is very important for building and maintaining esteem in the workplace. It also contributes to a fruitful work environment and an overall atmosphere of success. These 10 tips will help you get started on the right path.

Professor Chris Palmer is the director of American University's Center for Environmental Filmmaking and author of the Sierra Club book Shooting in the Wild: An Insider's Account of Making Movies in the Animal Kingdom. Shannon Lawrence is a filmmaker and MA candidate at American University •



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HOTANDCOLD

Raw TV and Discovery's *Gold Rush* is one of the biggest hits set in the "last frontier."

BY MANORI RAVINDRAN

Several years after unscripted producers and programmers embraced Alaska as their location *du jour*, the "Last Frontier" state and its people are still entrancing audiences and content executives alike. Here, *realscreen* investigates the reasons behind the Alaskan attraction, and looks at how the trend has evolved.

The 49th American state is, in every sense of the term, a state of mind. Alaska is the quintessential place to be alone, get off the grid, live off the land and start anew: some might say life there – fit for Sarah Palin and Jack London alike – is the real American dream. But the abandon, isolation and self-reliance of Alaska also represents a culture and lifestyle that is simply not feasible for most Americans. And for every one of those Alaskan dreams, there is no shortage of corresponding reality shows.

"There is no place greater in the American imagination than Alaska," Marc Etkind, general manager of Destination America, tells *realscreen*. "All those places that you thought about, or read about, or were taught about – the unexplored places and the last frontier – those are still in existence in Alaska today."

Of course, audiences have always had a healthy interest in unfamiliar territories. It's why heartland programming and a fascination with rural America has been a fixture in reality in recent years, with Louisiana-based shows such as A&E's *Duck Dynasty* and History's *Swamp People* permeating American popular culture.

But few of those series have delivered as

consistently as Alaska-centric programming, which has been steadily commissioned since around 2005, when Alaskan crab fishermen made a killing with Discovery's *Deadliest Catch*. The Original Productions-made show continued winning Primetime Emmy Awards into 2014, and even in its 10th installment – which aired last summer – an episode could average up to three million viewers.

Phil Segal, CEO and executive producer of Original Productions, says he often wonders when the show's 15 minutes will be up, but given the steady success of Alaska as a brand, he doubts it will be any time soon.

"[Alaska] seems to have this never-ending story of nuanced ideas that I just don't think we'll ever see the end of," he opines. "I think it's always going to be a place that is elusive. It's whether or not we burn out on it or fatigue on it – and we don't seem to have yet – but I think every time we've just about tapped out Alaska, someone comes up with another way to bring you into it and find that next great story."

So what's driving the trend? While it was once the attractive tax credits – the Alaska Film Production Incentive Program offers up to 58% in transferable tax credits – many producers say such incentives

“You’ve got to be a bit nervy to function in Alaska, because if you’re a timid soul, Alaska just isn’t the place for you.”

have stopped factoring significantly into a production’s bottom line.

“Once upon a time, it was a big deal, but not anymore,” says Chris Dorsey, president of *Building Alaska* producer Orion Entertainment. “There are enough series being produced in Alaska that the state has really pulled back on what they were doing, and it’s not particularly easy to get those kinds of incentives.”

Similarly, James Bates – a Raw TV producer who has worked on Discovery Channel’s *Gold Rush* for five years – says tax credits alone were never worth the trouble of producing there.

“Shooting in Alaska must add at least 20% to our budget compared to [shooting in] the Lower 48,” he says. “Alaska does offer

tax credits but that’s not been a factor in us filming there.”

Today, Alaska – the brand – eclipses the costs of production. Ironically, the greatest challenge of producing these shows is exactly what makes them so lucrative in the first place: danger.

“I was stuck in the middle of a river that was frozen in an ice jam and we were in a giant river canoe,” says Orion’s Dorsey, recalling one particularly harrowing shoot. “We didn’t know we were going into an ice jam in a very substantial river, and once we hit it we had no way to get this 27-foot river canoe off to the shoreline.”

Thanks to the efforts of a crewmate who began jumping up and down, bouncing the canoe enough that the ice slid underneath



Dorsey

it, Dorsey escaped getting crushed in the middle of the river. But like most producers working in Alaska, he has no shortage of these stories.

“You’ve got to be a bit nervy to function in Alaska because if you’re a timid soul, Alaska just isn’t the place for you,” he

018



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History and Original Productions put a new spin on Alaska reality with the competition series *Alaska Off-Road Warriors*.

says. “Fortunately, we found a lot of crew folk who aren’t timid souls and are real adventure seekers and thrive in that environment, and that’s really what it takes. You can’t just pluck someone out of an urban centre, throw them into the wild in Alaska and expect much good to happen. It doesn’t generally work that way.”

Indeed, there may be an abundance of producers willing to brave frozen rivers to work there, but the question for many of them is what the genre will look like in the near future. And, perhaps most importantly, can Alaska sustain its far-flung, isolationist charm when its inhabitants are growing accustomed to



seeing themselves on television?

“It’s interesting that people in Alaska are getting used to film crews,” says Etkind. “Like, ‘Oh look, there’s another camera crew coming into town.’ We need to deal with that. We need to address that.”

The programmer also notes that because most people go and live in Alaska to carry out quiet, solitary lives, there is a real

tension in trying to get these individuals to star in reality series.

“I think if your goal in Alaska is to be off the grid and be away from people, maybe you don’t want to be on TV, so you get some conflict in that,” says Etkind.

Not everyone, however, thinks a crowded landscape is a problem.

Tim Pastore, National Geographic

019

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“There’s infrastructure being built up in specific places, and you can find more support to production in a region, where historically you’ve been left alone to your own devices.”

Channel’s president of original programming and production, is currently readying the Gurney Productions-made adventure series *Rafting Alaska* for the summer and says the channel has had great success with other series such as *Ultimate Survival Alaska* and *Life Below Zero*. He admits that the characters in Alaska are more savvy about the TV industry now. But this knowledge, he says, could facilitate the production process in the region, and ultimately serve producers.

“A pro, when you look at it in that respect, is there’s also infrastructure being built up in specific places, and you can find a lot more individuals who can help provide support to production in a region and territory, where historically you’ve been left alone to your own devices,” he says.

As for what’s next in the genre? Pastore suggests a shift into science- and environment-focused series could be ahead, while Etkind says he’d like to see more community-oriented programs – “I’m interested in how communities form and I think you see a lot of communities form in

Alaska,” he says – but whatever is in store, don’t expect Alaska-set programming to lose sight of its greatest character.

“Alaska always comes with another character in the room, and it’s the landscape,” says Etkind. “There are very few places where not only do you get a great character, you get that landscape, the weather, the danger of the environment. That raises the stakes on any situation: to know that a storm, an avalanche, [or] a bear just all of a sudden changed your storyline completely.

“That’s what separates Alaska.” •



Pastore

Destination America’s *Railroad Alaska*, from Windfall Films, follows the crews behind the trains.



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Trailblazers 2014

Call them trendsetters, tastemakers, change agents. Regardless of the terminology, the people and companies featured here share at least one thing in common: their forward thinking and desire to innovate made the non-fiction and unscripted world more interesting in 2014.

Anthony Bourdain

Host/executive producer, *Anthony Bourdain: Parts Unknown*



Anthony Bourdain: Parts Unknown is redefining how producers and networks think about food and travel series, but its titular host remains pragmatic when asked his thoughts on success. "I seem to have slipped through the cracks," he tells *realscreen*. "I've had deals with various television entities during weird periods."

The 58-year-old chef-turned-explorer has indeed emerged as someone networks turn to in moments of reinvention, and that affords him an unusual amount of creative freedom. Once he has that freedom, he prefers not to let it go.

Bourdain first made a name for himself in media with his 2002 book *Kitchen Confidential: Adventures in the Culinary Underbelly*. Its success led to successive TV deals with Food Network and Travel Channel.

Travel aired his Emmy-winning *No Reservations* series for eight seasons and for a spell, he loved working there. "There was a period of time where I was given as close to total freedom as anyone has ever had on TV," he recalls. But the honeymoon eventually ended, and he accepted an offer from CNN, which was looking at unscripted formats in a bid to reignite ratings.

He immediately took advantage of the network's connections with fixers and militias around the world to boldly take *Anthony Bourdain: Parts Unknown* where foodie travel hosts would not normally go: Libya, Myanmar and the Democratic Republic of Congo.

If there is an overarching format for the show, it is to ignore prescribed format rules. Since its premiere in 2013, Bourdain and his team from Zero Point Zero Production have refined their stream-of-consciousness essayist approach to producing the series, basing episodes around specific people, locations or filmmakers, as well as auteur directors or cinematographers he obsesses over.

So far, execs at CNN have given him carte blanche to indulge his diverse storytelling instincts, and the approach has worked. *Parts Unknown* is a top-rated series for the network, and has won

a Peabody Award and three Emmys.

Even A-list Hollywood directors are calling to collaborate. In December, *Black Swan* director Darren Aronofsky will be carrying a camera during a season five episode shoot in Africa.

Has success given you the freedom to be more experimental in how you produce the show?

There are two important things I've found in television. One is to understand that most people in television are frightened all the time. They're frightened of losing their jobs. They're frightened of making the wrong decision. When they encounter someone who really and truly doesn't give a f*** about losing their job, that is a relatively immovable object, it's something they're not used to encountering. That attitude was always helpful to me.

Another is that television, generally, likes to repeat what works already. My partners understood early on with *No Reservations* that whatever worked and made people happy last week, it's the smart thing to do something completely different next week.

Has your approach ever caused concern at CNN?

That's what's great about working with a worldwide news organization. They have contacts, fixers and local militias on the ground to interface with. The show that probably worried them was the show we sent them on the underbelly of Tokyo – sadomasochism, Hentai and tentacle porn. I'm sure somebody somewhere thought it was worrying. But they supported it.

How do you hope those shows contribute to the perceptions of those countries you go to?

I don't see myself as an advocate. I don't see myself as a do-gooder. I don't see myself as a spreader of enlightenment or an activist – any of those things. I should be trusted and mistrusted as much as anyone. I'm a guy with a point of view who goes to a place, looks around, comes back and tries to give as honest an account of my experience as I can, but it is my experience. If I inspire people to consider getting a passport – people who don't already have one – or to think differently about difficult, complicated places, that makes me happy. **Kevin Ritchie**

Brent Montgomery

CEO, Leftfield Entertainment



When Brent Montgomery and his team at Leftfield Pictures unleashed the lightning in a bottle that was History's smash hit *Pawn Stars* in 2009, it cemented both the company's status and that of its founder as one of the unscripted content industry's biggest success stories in recent memory. The events of 2014 added a couple of important new chapters to the story.

With *Pawn Stars* effectively kick-starting the "artefactual" trend that still sees new shows commissioned internationally, and the series itself still a crown jewel for History (104 episodes were ordered for 2014 alone, the largest order for any docusoap in the history of the reality genre), Montgomery began a series of big moves in 2013. That's when he turned the Leftfield brand into a veritable American superindie, through the acquisition of Sirens Media (*Real Housewives of New Jersey*) and the establishment of two joint ventures: Loud TV with *House Hunters International* exec producer Nick Rigg, and Outpost

Entertainment with *Hoarders* EP Jodi Flynn.

After building Leftfield Entertainment, Montgomery and team worked on extending the *Pawn Stars* franchise internationally (local adaptations air in the UK, Australia and South Africa) and moving Leftfield Pictures into new territory, with series such as Bravo's *Blood, Sweat and Heels* joining other Leftfield programs such as *American Restoration*, *Counting Cars* and *Oddities* in the New York-based prodco's catalog.

In May of this year, the brand-building efforts culminated in one of the biggest acquisition deals of the year, when ITV announced the US\$360 million purchase of an 80% stake in Leftfield Entertainment. "The idea of being a lone wolf while the rest of the market is consolidating made me a bit nervous," Montgomery told delegates at the inaugural Realscreen London conference in October, during a keynote interview, and the move to sign with a UK-based parent company should go some way towards fulfilling Montgomery's aim to score more commissions internationally.

But beyond the multi-million dollar deals, Montgomery also made waves in the unscripted world in 2014 by making Leftfield one of the founding companies of the newly launched trade association, the Non-Fiction Producers Association

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(NPA). At a time when the spotlight is shining rather unflatteringly on labor relations and production practices in reality programming, the NPA, according to its mission statement, aims to foster and promote a set of best practices for reality producers. And as with his biggest show to date, the success of the NPA will ultimately be dependent upon teamwork.

Why was the sale the right move to make for both the company, and for you? Many would assume, looking at the dollar figure accompanying the sale, it would be an easy decision to make. Was it?

Financially it was a no-brainer, but emotionally, it was more difficult to sell my life's passion. Paul Buccieri and ITV were very convincing and have been great partners, allowing us to focus more on the creative. The result is the strongest development slate in our history, which is a key thing, as we need the volume to allow us to find and keep good people.

Let's talk about the NPA. What can you tell us about the impetus for being a founding company for this association? What are some of the aims that you hope it can achieve?

The industry as we now know it is only about 15 years old, and there's no playbook for business owners who don't have business degrees. I've been fortunate to have mentors like Jon Murray and Eric Schotz, and I think the group represents producers who are focused on making this a sustainable industry that gives the current generation and the next a real opportunity for success.

The networks have been extremely supportive, and securing their pipeline with well-run businesses is as vital for them as for us.

As one of the more successful producers in unscripted, what do you see as the prime challenges facing the industry in the year ahead? And how do you plan to meet them?

Reality is at its first major crossroads. Scripted

was mulling along and not taking risks a few years back, and all of us scruffy reality producers showed up at the party, where no one told us we weren't supposed to get better ratings than the shows costing 10 times as much to produce. Even better for the nets, they were able to own the IP. Now, scripted has answered the call and is better than ever, but it's less profitable and takes three times as long to hit the air.

In the unscripted industry we need to focus less on the last 2% of the show, with rounds of frame and music notes, and more time on the other 98%, being bold with ideas and storytelling. The tight schedules often don't allow time to focus on both so let's all be smart. I firmly believe the pendulum will swing back our way, with many of the big budget scripted bets not paying off, as scripted becomes oversaturated.

Barry Walsh



Jason Spingarn-Koff

Editor, *New York Times* 'Op-Docs'



Three years ago, filmmaker and journalist Jason Spingarn-Koff was hired by *The New York Times* to enhance the publication's popular Opinion section with video. There had been some talk about filming contributors such as Paul Krugman and Maureen Dowd reading their columns aloud – “the print way of looking at it,” quips Spingarn-Koff – but he instead urged independent filmmakers to make original shorts: the kinds that would spark the same discussions with video that Op-Ed did with writing.

More than 135 Op-Docs later, video is no longer just added-value at *The New York Times*. For many, ‘Op-Docs’ is an initiative that has opened doors for similar pursuits from publications such as *The Guardian*, *The New Yorker* and Condé Nast’s assorted titles. For Spingarn-Koff, it has provided an opportunity to work closely with heroes such as Errol Morris and Laura Poitras, and offered him the chance to spotlight lesser-known talent also deserving of attention. One such

team was James Spinney and Peter Middleton, whose three-minute short *Notes on Blindness* was commissioned into a 12-minute film for ‘Op-Docs’. At IDFA, the team – which has enlisted the support of ARTE and BBC doc strand ‘Storyville’ – was looking for feature-doc funding. Reflecting on the trajectory of that project, Spingarn-Koff hints that, given the right film, a move into the feature space could be imminent.

For now, the editor is keen on developing more episodic series for ‘Op-Docs’ and working with *The Times*’s editorial board for their video projects. In the spare moments eked out between, Spingarn-Koff travels the world promoting the brand. He says people used to be confused as to what *The New York Times* was doing at the IDFA Forum. Now, no one bats an eye as he takes his place at the roundtable.

What’s the challenge for you in producing the Op-Docs?

I think it’s the timeline. About a third of the projects we work with are related to longer works, so they can be adaptations from feature documentaries and in those cases the filmmakers are so consumed with the feature edit that they don’t have the mental space or the resources to make the short film. So it really depends, case by case. Some of them want to make the

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Op-Doc while they're still in production on the feature because it will really help them bring attention to what they're doing. They might still be fundraising or they might still be formulating what the feature's going to be, so by going through the editorial process with us they can shape their bigger project.

What's one project you're particularly proud of?

[The interactive documentary] *A Short History of the Highrise*, because it was so ambitious and risky and a true collaboration between *The New York Times* and the National Film Board of Canada. I feel it was an example where we worked with an independent filmmaker [Katerina Cizek, a 2011 *realscreen* Trailblazer] who brought the best of her talents and matched her with people from our staff who brought their best work to it. Also, within *The New York Times*, we got to collaborate with people across different specialties and it was really fun to bring all these people together.

Does *The New York Times* have any plans of getting into the feature-length space, and creating your own original docs? It seems like the next logical step.

It's something we're definitely looking into. *Notes on Blindness* is one of the most distinctive things we've done and [the filmmakers] always planned on doing a feature and I feel we gave them a nice boost. That's the type of thing I'm discussing with colleagues and the filmmakers: would there be value to *The New York Times* helping to further advance that. Now that we're three years into it with shorts, I think we've done very well and we've found that we can add something very distinctive to the filmmaking landscape. The feature field is much more crowded so we would need to think carefully about what we can add. But I've worked with now probably 100 filmmakers and we've done more than 135 Op-Docs so I'm in a good place to identify strong feature projects if we wanted to go that route.

What do you make of other media such as *The New Yorker* and *Vice* also getting into the film space? It's a very different landscape from when you first started.

It's only three years in so I feel we're still in an experimental phase but we've proven something's possible, which is nice. So we'll see what the others do. I think that this work is extremely hard to do, and one of the reasons it's so hard is the filmmakers [need to] take a lot of guidance. Most people are not used to doing shorts. So to work with a feature filmmaker to create a very strong, distinctive short piece is extremely hard. And I think my background as a filmmaker has helped that greatly because I can troubleshoot with the filmmakers and think through creatively what might work... I welcome the others but I think they'll see that it's more difficult than it appears to do this well.

Manori Ravindran

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Jana Bennett

President, FYI and LMN



Reinventing a network is one thing, but reinventing a genre is quite another.

When Jana Bennett, former director of BBC Vision, was named the president of A+E Networks' entry into the lifestyle space, FYI, there was expectation within the unscripted industry that the network, a top-to-bottom rebrand of Bio, would strive to offer up a slate that could woo platform-promiscuous millennials back to cable, or at least, over to FYI.

As its launch in July approached, Bennett spoke often in interviews about her aim for the network to appeal to the multi-hyphenate nature of a generation currently left in the cold by the bulk of lifestyle programming. "[People] don't have just one interest," she told *realscreen* prior to the net's launch. "They may be a mother, foodie, a maker and a traveler."

With a veteran development team in place, led by SVP Gena McCarthy and including VPs Liz Fine and James

Bolosh, Bennett and crew tapped into the talents of established television producers – such as Kinetic Content, who brought the network one of its biggest hits thus far in the U.S. version of *Married at First Sight* – and content shops that made their mark online, including Collective Digital Studio, whose YouTube phenomenon *Epic Meal Time* made the leap to cable via FYI.

For producers on either side of the content equation – linear or digital – Bennett's call to "rip up the rule book" when pitching the network should serve as an open invitation to attack the myriad subgenres within lifestyle content – food, lodging, fashion among them – with as much creativity as possible. For Bennett, who has previous

experience in revamping an American cable brand through her time with TLC at the turn of the millennium, overseeing FYI and sister net LMN provides her with yet another opportunity to innovate.

One year in, what shows can you point to as the ones that best exemplify FYI?

With FYI being about how we live today and the notion that life can be lived across a number of interests as opposed to being too compartmentalized, the shows that we think represent the brand are hybrids in some ways.

Something like *Tiny House Nation* – I like that very much, partly because it's been very successful, but partly because it's embracing trends such as extreme downsizing and being very creative in a smaller space. I think that sort of tiny house movement taps into a lot of things going on today. I think *Married at First Sight*, which is our biggest hit, was successful because it was authentic, and stripped back the artifice that we've seen in reality that's been very produced. *Epic Meal Time* is a good example of how FYI is partnering with and embracing the YouTube community.

Have there been any similarities in the process between launching this net and effectively rebranding TLC?

One of the similarities is the idea of going beyond the TV bubble and tapping into what people are really doing, and finding ideas out of those social trends. Another is finding a point of difference in the approach to making shows.

Back at TLC, at that time you never really saw any mistakes being made in home improvement shows. They were very much about the "how to", and everything was always kind of perfect. What we did at TLC was bring in some shows in which it would be fine for things to go wrong... If you look at the digital world and the huge success of vloggers and YouTube stars, you see that they have a direct connection to their audiences.

We need to step back a little bit and let people have a voice that is fresh and raw.

There's been a lot of talk over the past year about the health of the unscripted content industry. How do you think it will fare in the year ahead?

Unscripted is an amazing area full of programming possibilities, because it's about whatever we choose to make it about. Life is full of twists and turns, so there is no lack of potential ideas. Great shows will find audiences. But there has to be many points of difference, and reinvention is essential.

I also think that we need to be willing to embrace the creativity happening in the non-linear world. It's not a huge divide now, and that should be an even greater source of creativity, in terms of crossing over with talent or producers, and in terms of our own ability to have cross-platform programming.

I think great things will come out of that. This is a more creative time than any other I can think of.

Barry Walsh

"There is no lack of potential ideas. Great shows will find audiences. But there has to be many points of difference, and reinvention is essential."

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Jesse Moss

Director, *The Overnights*



At a screening of the documentary *The Overnights* at the 2014 Sundance Film Festival, a film programmer approached director Jesse Moss and said plainly, "Surely it was all a re-enactment. It couldn't possibly be real." It's become a common reaction to Moss's film, which is set in Williston, North Dakota, a town that sees countless workers arrive in search of employment in the oil fields, only to be priced out of affordable accommodation.

In order to provide shelter for the predominantly male workers, local pastor Jay Reinke started the "Overnights" program – in which his church became a temporary shelter – but encountered great resentment from community members concerned about the men's rough backgrounds.

During a time in documentary when hybrid and scripted approaches to non-fiction aim to confound audiences eager for innovation, Moss's film – which he funded almost entirely out of pocket – rings even stranger than fiction due to a surprising revelation about its protagonist. But if you're

waiting for genres to be bent and boundaries to be crossed, you won't find such techniques in *The Overnights*. Moss's party trick is the strictly vérité approach of sticking around, and much to the director's own surprise – "I think I underestimated the audience," he's fond of saying – it worked.

Since its world premiere at Sundance, *The Overnights* has garnered critical acclaim, earned nods on countless year-end lists and was recently shortlisted for the Best Feature Documentary Oscar. What sets Moss apart as a director is a classic, back-to-basics approach to filmmaking – inspired by docs such as *Hoop Dreams* and *Harlan County USA* – accompanied by the pursuit of a singular vision. Unable to get funders on board ahead of filming, Moss paid his own way for the 18 trips between California and North Dakota and shot everything alone. The resulting documentary is a modern story about a boomtown told in what Moss describes as a "very old-fashioned" way – simply by being there, all the time, over 18 months.

What was your proudest moment from the year?

It's being able to share the film with Jay on stage – to have made that journey with him, and to tell his story but also to have him make that leap of faith with the film. Of all the achievements

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“If you need to tell the story you find a way to tell it with the means at your disposal.”

that I’m proudest of, I think that’s the one that’s most meaningful for me. I think the film is really intense and intimate and it’s always been important that the people I collaborate with to make these films can be a part of that journey even though the film might be tough.

Do you think there needs to be more early-stage funding for filmmakers?

I would love to see more early-stage, risky support for these kinds of films. I don’t know what format that would take. Yet, I’m really

optimistic, because I do think that where there’s a will, there’s a way. If you need to tell the story, you find a way to tell it with the means at your disposal... To me, the lesson of my very first film *Speedo* – which was made in a very similar fashion – was it was a film that only found an audience when it was finished. And every year there are films that just had to be made that way and had to be finished before people could say, ‘Oh yeah, now I get it, I understand it.’ And so for me, having made a film like that when I was younger helped me understand that I shouldn’t see a lack of support as a reflection on the work but more as the mechanisms of the industry.

Will you apply the same filmmaking principles – of being a one-man band – to your next project?

I’m just starting a project that’s a TV-financed doc, and it’s actually more archive-based. I’m excited about it but it’s very different from *The*

Overnighters. Looking ahead I feel like it’s so important to find a project that takes me to that place. I’m not sure how to get there... I do believe just working is good, but I also believe that, with the lesson of *The Overnighters*, the best work is the riskiest work, for me.

What lessons from *The Overnighters* will you take going forward?

This is the first time I’ve had a film released theatrically by a distributor and gone into the commercial marketplace in that way. That’s been enlightening, and it’s a reminder that as much as I think I know, I don’t know much. I feel like I know quite a bit about documentary storytelling but less than I thought I knew about the industry of docs and the commercial realm. It’s always a mistake to imagine your film as a commercial proposition and yet we’re forced to do that from the moment we set foot in a pitch forum. I guess that’s the tension, and maybe it’s not a bad tension. **Manori Ravindran**

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Henry Schleiff

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In addition to marking further expansion into Europe, the launch of Investigation Discovery (ID) in Denmark at the start of November of last year also saw the network brand passing a significant milestone: it now reaches more than 100 million viewers outside of the United States.

However, ID's success abroad couldn't have come without the remarkable growth it has experienced in the U.S. over the nearly six years since Henry Schleiff took the reins in February 2008. In its early days, the channel was guilty of trying to be too many different things, and

lacked focus, Schleiff admits. But focusing on its core niche has paid huge dividends, as the channel has grown from being a top 50 network, into one of the top five networks for women, and the number one network for length of tune-in among women 25-54, according to the Beta Research Digital Cable Subscriber Study.

When you took the reins at ID it was in Discovery Communications' now-defunct Emerging Networks Group...

It was the Emerging Networks Group, exactly. But we have emerged from it (laughs).

To what do you attribute ID's growth?

I think what we fairly quickly focused on was the incredible popularity and breadth, if you will, of the niche. That sounds like an oxymoron – when you say breadth and niche – but the idea of how

strong the appeal was, and is, for programming based on mystery, suspense, high stakes and crime, you could say, and doing it all based in truth.

Are you happy with all of ID's schedule at the moment, or are there timeslots that you want to improve?

No – I think that's a broadcast mentality, to say, 'We've got to fix Thursday at 9 p.m.,' or 'We need a better lead-in for Sunday.'

We're actually the opposite; what we need to be is brand-sensitive, meaning that almost all of our programming should be consistent in its appeal to viewers.

That's not to say we want to be repetitive – we don't – but we want to be consistent. Viewers today are so confused

about what's on and when it's on, let alone what platform it's on, and they're looking for predictability.

I think it's irrelevant what the name of our show is at 9 p.m. on Thursday. What's relevant is that [viewers] know they're going to get something that's fresh, smart and suspenseful.

Your newest competitor in the market is the soon-to-launch Justice Network. How do you feel about that?

I'm delighted – absolutely elated – for any form of competition; even something like the Justice Network, because I think they are *hors d'oeuvres*.

To the extent that they get an audience, people look to that kind of programming and hopefully enjoy it, and they say, 'Where can I get more of it?... Where can I get the main meal?' And that is, in fact, ID.

So I want to see more of our kind of programming out there; I want it to be successful on competitor networks. And I want to see the continued growth and popularity of mystery books and feature films, à la *Gone Girl*.

We introduced *Love the Way You Lie*, a series which is very similar to *Gone Girl*, almost at the same time as the movie...

And obviously everybody is talking about the Serial true-crime podcast at the moment...

Absolutely – and we're going to have some announcements around that coming up. That is the quintessential example of exactly what I mean; taking a group that has generally been listening to radio, or NPR, or some version of that. It shows you how broad the appeal is – it shows that what is old is new.

What's next for ID? Where do you go from here?

The most important thing is that we follow the three threads and balance them correctly with what we're trying to do – to be entertaining, informing and inspiring. This is a network that has tapped into the zeitgeist perhaps more than any other network.

We can take some credit for that, but what we've really done a good job of is listening to the viewers. I think we've just got to keep our antenna up and listen to how we can continue to serve that audience.

Adam Benzine

"I'm delighted for any form of competition... I want to see more of our kind of programming out there; I want it to be successful on competitor networks."



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Fenton Bailey and Randy Barbato

Founders, World of Wonder Productions



When *realscreen* reached World of Wonder founders Randy Barbato and Fenton Bailey for an interview, the pair was recovering from their office holiday party the night before. Billed as the LA-based prodco's first-annual drag ball, the event was a who's who of drag queen high society.

"For us an office party includes a red carpet, a runway and Lady Bunny DJing," says Barbato. "It was filled with queens from *RuPaul's Drag Race*. It was like being at the Academy Awards."

It was a long haul to get *Drag Race* to where it is today with a devout following, but also well-liked in industry and critical circles. World of Wonder pitched the show for years to execs that deemed it "too niche" (i.e. too gay).

Even for a company with a long history of producing feature docs about cult figures and LGBT characters, such as *The Eyes of Tammy Faye*, *Becoming Chaz* and *Party Monster*, the project proved too difficult and Bailey and Barbato shelved it until a new exec at Logo persuaded them to revive it.

World of Wonder's belief that LGBT stories and characters can have broad appeal often brushes up against perceived wisdom about what will and won't work on cable. The ongoing success of *RuPaul's Drag Race*, and the docuseries *Big Freedia: Queen of Bounce* – about one of the most popular performers in bounce, a hip-hop sub-genre – would validate that belief.

In addition to the seventh season of *Drag Race*, WoW is in production on seasons three and four of *Big Freedia*. The company also saw successes in 2014 with the real-estate franchise *Million Dollar Listing* for Bravo and *Island Hunters* for HGTV, and will kick off the new year with *Friends to Lovers?*, which debuts on Bravo on January 15.

Barbato and Bailey are in talks in the UK and elsewhere about local versions of *Drag Race* and are developing other formats. "There is a very soft format to *Million Dollar Listing* but there is a format," says Barbato.

The pair started the company 23 years after being inspired by the free-for-all that was New York public access television in the 1990s. Earlier this year, WoW channeled

that spirit into a digital programming venture with European multi-channel network Base79.

WoW's sub-network of 70 YouTube channels features personalities from its various documentaries and TV series that have collectively racked up 112 million views and 529,000 subscribers. Meanwhile, the main WOWPresents channel has 145,000 subscribers and 42.8 million views.

Additionally, the web series for AOL *#CandidlyNicole* featuring celebrity Nicole Richie made the jump to cable as a series for VH1 (the second season is due to air next year).

In 2015, WoW will return to its doc roots with a project for HBO and *#AfterParty* (w/t), a sequel to *Party Monster* that catches up with club kid-turned-convicted murderer Michael Alig upon his release from a 17-year prison term.

How do you define the success of your digital programs? Is it when a digital show moves to linear TV?

Randy Barbato: Our philosophy is "today's margin is tomorrow's mainstream." Creating a digital platform and inviting friends of World of Wonder, our artists, or our "wild-lebrities" to produce digital programming feels completely natural.

Fenton Bailey: Increasingly, ideas can travel between different platforms or different sizes of screen. But I don't think you can only define success in that area as "YouTube star-becomes-a-legitimate-cable-star." In many ways, YouTube artists are finding a large enough audience in their own medium. They don't need cable's validation.

Has the success of *RuPaul's Drag Race* had the impact of doors opening for more LGBT talent?

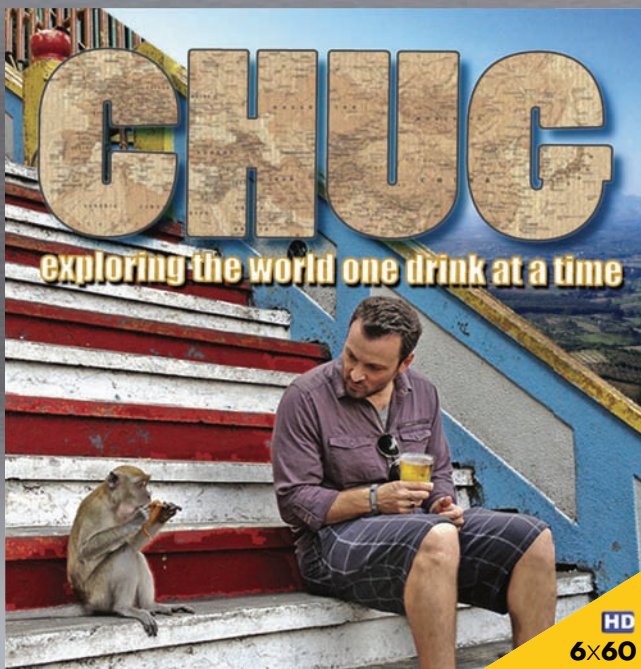
RB: We've been producing stuff for over 20-odd years and we've never been "in" so we never "came out." A lot of stuff we've produced has had gay, loud or out characters and there's definitely been a kind of progression. There are definitely more gay, lesbian and trans characters, stories, and ideas that are part of the mainstream media. That just seems like a gradual progression.

Jonathan Ross has been trying to get a UK version greenlit. How is that going?

FB: We've been talking to him and UK broadcasters about a UK version of the show. We're not there yet. We're also talking to other territories about doing original versions of the show because, whatever you may think drag is or what you think about where it comes from, it is ultimately, and potentially a completely mainstream phenomenon. It comes from a gay space but I don't think it needs to scare any network in any country as a "gay thing." People want to see lives that are other than their own lives. **Kevin Ritchie**



The Best in Factual Entertainment



Vice Media



In 2014, Vice Media proved that millennial-targeted programming and hard news need not be mutually exclusive genres.

The company, which started as an indie magazine in Montreal, has operations in more than 34 countries, including a network of digital channels, an in-house creative agency, a record label and a publishing division.

Over the past year, Vice Media expanded its news channel into seven new markets and inked a succession of head-turning deals with established media giants, setting the stage for a potential buying spree and IPO next year, as Vice CEO Shane Smith suggested in a recent interview with the *Financial Times*.

A combined US\$500 million deal with A+E Networks and Technology Crossover Ventures valued the rabble-rousing multimedia company at \$2.5 billion, with each company taking a 10% stake. The deal will give Vice an outlet for its millennial-targeted programming on cable in addition to its HBO series, which has been renewed for two more seasons.

In 2014, Vice also inked a deal with Canadian media giant Rogers to launch a 24/7 news channel in its native land; formed a joint venture with concert promoter Live Nation Entertainment to create a digital platform for music documentaries; teamed up with FremantleMedia on a multi-channel food platform; and partnered with 20th Century Fox to launch the feature film division Vice Films.

At the center of most of these deals are documentaries.

Documentaries have been integral to Vice since 2007 when it launched the online video platform, VBS.tv. Driving this vision is chief creative officer Eddy Moretti (pictured) who codirected the music documentary *Heavy Metal in Baghdad* that same year. Since then, Vice's best-known content has increasingly bucked the trend toward "snackable" web content designed to reel in viewers with scant attention spans by going in-depth on hard-news subjects.

As Moretti told *The Guardian* in June, documentaries were the most popular content when Vice began posting material on its own YouTube channels. "We did music stuff, we did fashion stuff, we even did sports stuff," he told the newspaper. "It was the in-the-field documentary reporting that we liked the best and that the audience liked the best."

The volume of original content Vice publishes on its



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various channels is dizzying. The short and feature documentaries that air across Vice.com and its sub-channels – including Vice News, music outlets Noisey and THUMP, art and tech-focused The Creators Project and the food-centric Munchies – dispense with the blow-dried personalities and studio wizardry that cable news outlets typically offer in favor of sending correspondents into the field.

For instance, in the short Munchies doc *Outsiders* by director Marc Isaacs, food becomes a springboard into a larger issue of immigration. The cameraman stations himself in a food truck in Lincolnshire, England to catch the weary residents at relaxed moments, and thus more likely to reveal their true thoughts about Eastern European migrant workers.

In two instances, Vice's approach to newsgathering became the story. In 2013, producers gained access to North Korea for the HBO show by bringing former NBA star Dennis Rodman and members of the Harlem Globetrotters to the region for an exhibition

Vice stands out as a media company dedicated to both the classic tenets of documentary as well as to rethinking the genre to push it forward.

game. North Korean ruler Kim Jong-un is known to be a basketball fan. Not only did he show up at the game, he made conversation with Rodman and invited reporter Ryan Duffy and the crew for a private dinner party.

This year, Vice correspondent Medyan Dairieh scooped every major news outlet by openly reporting from the part of Syria controlled by the hardline militant group Islamic State (ISIS). While other news outlets relied on footage and social media statements supplied by the group to cover its alarming advance across Western Iraq, Vice worked its contacts to get inside the story, which it ran online as a five-part series.

"Half of my creative existence has become about shaping non-fiction, documentary news into new formats," Moretti told *Fast Company* earlier this year. "We're looking at ways to make the news less about talking heads and more about experiencing issues from a really human point of view."

As cable nets roll out scripted series to reel in new viewers, Vice stands out as a media company dedicated to both the classic tenets of documentary as well as to rethinking the genre as a means to push both it, and the company itself, forward. So far, the approach seems to be paying off. **Kevin Ritchie**

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2014 in Review

Our look at the year that was

BY BARRY WALSH

Consolidation ramps up

The manic merger and acquisitions activity of 2013 reached new levels of intensity in 2014, with two of the biggest deals impacting the unscripted industry – the US\$360 million purchase of Leftfield Entertainment by ITV and the \$930 million acquisition of All3Media by Discovery Communications and Liberty Global – being officially announced in the span of one week in May. Meanwhile, Viacom snapped up British broadcaster Channel 5, and speculation continues to run rampant concerning a sale of ITV itself to a deep pocketed American suitor.

Not to be outdone, news shortly followed that 21st Century Fox was teaming with private equity firm Apollo Management on a deal that would merge Endemol, Shine Group and Core Media – a deal that will result in the world's largest production company. Former BSkyB managing director of content Sophie Turner Laing (pictured) was named CEO of the tentatively titled Endemol Shine Group, while Endemol president Tim Hincks will take that post for the new entity, and Cris Abrego and Charlie

Corwin will head its North American operations as co-CEOs.

There was plenty of other acquisition action that saw numerous unscripted prodcos cash in. Discovery preceded its All3Media move with the acquisition of *Gold Rush* producer Raw TV, while FremantleMedia took a majority stake in SallyAnn Salsano's 495 Productions. UK-based Tinopolis Group acquired *Top Chef* team Magical Elves, and *Great British Bake Off* prodco Love Productions became the first indie to be acquired by BSkyB. Recently, eOne got into the game by acquiring top Canadian unscripted prodcos Paperny Entertainment and Force Four Entertainment.

The deals are not only reconfiguring the independent production landscape, but in the UK, are causing public broadcasters such as the BBC to reevaluate their quota systems. Where the trend will head in 2015 is anyone's guess, but some industry players point towards media companies outside of traditional television – the Googles and Amazons of the world – as potential buyers in the next phase of acquisitions. And while some prominent prodcos remain truly independent – Pilgrim Studios and Icon Films among them – it remains to be seen whether the pace of purchasing can continue.

Cable shake-ups

Discovery and A+E Networks announced major executive moves in the fall of 2014, with former Shine America chief executive

Rich Ross named as president of Discovery Channel following Eileen O'Neill's move to Discovery Studios, and ITV Studios U.S. head Paul Buccieri (pictured, left) taking on the newly created role of president of A+E's History and A&E brands.

The news of Ross's hire at Discovery came in tandem with word that Cris Abrego and Charlie Corwin would head up the North American arm of the Shine/Endemol/Core Media conglomerate, while word of Buccieri's hire came before the official announcement that A+E chairman Abbe Raven would be retiring in 2015 after 33 years with the cable group.

The changes come at the close of a year in which cable networks, particularly those dealing primarily in unscripted, grappled with numerous challenges. Major hit series such as A&E's *Duck Dynasty* didn't match the successes of the prior year, resulting in C3 ratings (the measure of commercials watched during live broadcast plus

three days of DVR playback) downturns in the coveted 18-49 demo that in some instances were quite significant. Double digit declines were posted by A+E Networks, Discovery, Time Warner, Viacom, Comcast and Disney in the third quarter of 2014, according to an analysis of Nielsen data by research firm MoffattNathanson. The news wasn't all bad as some networks did post gains in that period – among them, National Geographic Channel, and Scripps' Food Network and HGTV.

With some cable and broadcast companies aggressively adopting the acquisition model (see Discovery Communications, ITV and Sky), the near future could see more cable network groups – at least those with the global reach and financial means to do so – try that approach. And with the unsteady performances of unscripted content on primarily scripted cable nets – AMC effectively withdrew from unscripted programming in October – and more predominantly unscripted nets, including Bravo and E!, looking to tackle scripted in 2015, the pressure to find the next reality golden goose (or *Duck Dynasty*) is high going into the new year.



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🔥 New platforms' non-fiction push

Last year in this space we looked at Netflix's entry into the documentary sphere, with the video-on-demand company's declaration that it was courting several docs to become Netflix premieres. Jehane Noujaim's *The Square* was one of the more prominent docs at the time to benefit from Netflix's backing, and the film grabbed an Oscar nomination, the first for Noujaim and one of the first for Netflix, the other being for the doc short *The Lady in Number 6*, which won its category.

In 2014, the company picked up such acclaimed docs as the Leo DiCaprio exec produced, conservation doc *Virunga* (pictured); the Sundance hit *E-Team*, which follows four investigators of Human Rights Watch's Emergencies Team; the 3D printing doc, *Print the Legend*; and *Mission Blue*, featuring marine biologist Sylvia Earle.



The Leonardo DiCaprio exec-produced *Virunga* was one of several docs acquired and backed by Netflix in 2014.

with deals announced for a six-part doc series, *Chef's Table*, to be helmed by *Jiro Dreams of Sushi* director David Gelb. Of that project, Netflix VP of original documentary and comedy Lisa Nishimura said: "While some stories are best told as feature length films, others, like *Chef's Table*, greatly benefit from being able to communicate their story in a multi-episodic fashion. We're fortunate

to have the flexibility to match the story with the best format."

Moves were also made in the digital space on the unscripted and non-fiction front, with MCNs such as Maker Studios offering up doc-style channels such as the Warrior Poets/Maker partnership Smartish, and traditional broadcast and media companies investing heavily in the MCN field, as seen in Scripps' purchase of a stake in Tastemade, and Disney's acquisition of Maker.

Other new players in the field have taken a more cautious approach.

Amazon Studios announced its first docuseries pilot slated for the year ahead, *The New Yorker Presents*, from Alex Gibney's Jigsaw Productions and Condé Nast Entertainment. But on the downside, one potential new platform for non-fiction content fizzled out in 2014, with the shuttering of Xbox Entertainment Studios.

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Non-fiction plans for 2015 continue apace,

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🔥 Hits and misses

2014 saw two heavily-hyped series go for the brass broadcast ring in the U.S., but both came up short.

ABC entered the talent competition fray with *Rising Star*, a format from Keshet International that has performed strongly in its home territory of Israel and various other countries, and that enjoyed a major amount of buzz going into its summer Stateside debut. Touting an interactive element of real-time voting by app, pundits wondered if the tech twist would provide a fresh spin on the talent competition idea, much like spinning chairs did with *The Voice*. But in the end, the spin didn't quite take hold, and the series' finale brought in 3.2 million viewers – an improvement over the numbers for the previous week's episode but still relatively lukewarm by broadcast smash standards.

Fox, meanwhile, hitched its wagon to *Utopia*, a format from Dutch production powerhouse



While a hit elsewhere, *Utopia* didn't prove to be a magic kingdom for Fox in the U.S.

John de Mol. Premiering in September, the first episode of the social experiment series that placed 15 participants from various walks of life in a remote location in Southern California to "build a new society from scratch," averaged 4.6 million viewers according to Nielsen, and the plan to air two hours of *Utopia* per week changed by October. By November, the writing was on the

wall as ratings continued to slide, and the curtain closed on the ambitious series, two months in.

Still, there were successful program launches in the American unscripted world over the last year, and they came from cable. FYI is seeing good results with its version of the popular Danish format *Married at First Sight*, and the Loud TV-produced *Tiny House Nation*. USA Network now has a top 20 reality series in its stable in the form of *Chrisley Knows Best*, with a third season starting production.

And controversial content continued to click on cable, with Discovery pulling in its largest audience for "nature" programming since 2010 for the much hyped, and in some quarters much maligned, *Eaten Alive*, in which author and naturalist Paul Rosalie attempted to be consumed by an anaconda in the Amazon rainforest. While the stunt itself didn't pan out, 4.1 million viewers checked in.

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How was it for you?

And now, we turn the microphone over to assorted execs in the non-fiction content industry, to sound off on the highs and lows of the past year.

Alan Eyres

SVP, programming and development, National Geographic Channel

My favorite factual/unscripted series or program of the past year was:

Curse of Oak Island – an amazing, genre-bending show. Totally entertaining. And *Married at First Sight* – this could have been exploitative and uncomfortable. Instead, it was intelligent, sensitive and moving. I watched out of professional curiosity and stayed for great storytelling. I know that's two, but I love both.

I never thought they'd make a program about:

Black light performance art and puppetry.

The program people will still be talking about five years from now is:

Deadliest Catch – 10 years in and still the most gripping non-fiction show on TV. I see no reason for that to change in the next five years. Remarkable.

In 18 months, no one will be talking about:

Overnight ratings. We'll look back at them as an outmoded relic of a simpler time.



Eyres calls FYI's *Married at First Sight* "intelligent, sensitive and moving."

The idea I wish I thought of from this past year was:

On the basis of the trailers alone, TLC's *The Secret Santa*. Such a creative use of the faux-doc.

The idea I'm most glad I had this year was:

It's the one I can't talk about yet, but you'll know about it next year. That, and spinning off *Wicked Tuna*.

If 2014 taught me one thing, it was:

In a world of infinite viewing and entertainment choices, a sense of brand matters more than ever.

My New Year's resolution for 2015 is:

Eat less candy. Make more daring TV.

Henrik Pabst

Managing director, Red Arrow International

I never thought they'd make a program about:

People watching TV. *Gogglebox* brings us from our own living rooms into other peoples' and was a pleasant surprise on the format side.

In 18 months, no one will be talking about:

Heavily oversold talent shows.

The most positive development in the non-fiction content industry in 2014 was:

Authenticity. Viewers appreciate real reality formats with no script behind them that tell authentic stories.

The idea I wish I thought of from this past year was:

Gogglebox.

The idea I'm most glad that I had this year was:

Further developing the concept of social experiments with a unique format idea like *Escape Your Life*, giving people the opportunity to start their lives from scratch.

If 2014 taught me one thing, it was:

Real people's stories evoke the most authentic emotions among viewers. They tell stories that no producer could have written any better.



Pabst says Channel 4's *Gogglebox* was "a pleasant surprise on the format side."

The buzzword I don't want to hear in 2015:

App voting.



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Howard Schultz CEO, *Lighthearted Entertainment*

Editor's note: *Realscreen* reached out to Howard Schultz to take part in our annual year-end questionnaire in early December of 2014, days before his untimely passing. We print it here as a tribute to his legacy, and his reputation as a mentor to many in the unscripted television industry.

The programs people will still be talking about five years from now are:

American Idol, *The Voice*.

The most positive development in the non-fiction content industry in 2014 was:

The Non-Fiction Producers Association.

The most troubling development in the non-fiction content industry in 2014 was:

The continuing trend of copycat programming.



MTV's *Are You The One?* was a great success for Lighthearted Entertainment and its CEO, Howard Schultz, in 2014.

The idea I wish I thought of from this past year was:

Married at First Sight.

If 2014 taught me one thing, it was:

The quality of new, young producing and directing talent is amazing.

The idea I'm most glad that I had this year was:

Are You The One?

Tara Long SVP, U.S. alternative programming, *Entertainment One Television*

My favorite documentary film of the past year was:

Nixon by Nixon: In His Own Words (HBO).

I never thought they'd make a program about:

Having sex in a box on a stage in front of an audience.
[*Sex Box*]

The documentary people will still be talking about five years from now is:

The *Hard Knocks* franchise.

In 18 months, no one will be talking about:

Honey Boo Boo.

The most positive development in the non-fiction content industry in 2014 was:

The increased number of outlets to create and sell content to, and the overall growing amount of original hours of U.S. programming available to us.

The most troubling development in the non-fiction content industry in 2014 was:

Overall TV ratings are down and budgets are shrinking.



Tara Long of eOne named *Nixon by Nixon: In His Own Words* as her favorite doc of the year.

The idea I'm most glad that I had this year was:

Persuading Nelly to do a family docuseries [*Nellyville*] and convincing BET we were able to deliver the series only nine weeks after the first shoot day for air.

If 2014 taught me one thing, it was:

Budgets are shrinking and expectations are getting higher, and producers will have to find creative ways to deliver more for less.

The buzzword I don't want to hear in 2015:

Zeitgeist.

My New Year's resolution for 2015 is:

Continue to come into work every day with a smile and feel energized to do what I love.

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Tim Duffy

Co-founder, Ugly Brother Studios

My favorite unscripted series of the past year was:

Dogs of War on A&E is ballsy, original, emotional and well-produced.

I never thought they'd make a program about:

Dating Naked.

The program people will still be talking about five years from now is:

ABC Family's *My Transparent Life*. The show sounds fascinating, innovative and important.

In 18 months, no one will be talking about:

"Docuseries" that focus on dudes with ZZ Top-style beards.

The idea I wish I thought of from this past year:

Surviving Naked Storage Hunter Wars.

The idea I'm most glad that I had this year was:

Just one? My favorites are the shows we have in development with Spike, ABC Family, E! and NBC.

The most positive development in the non-fiction content industry in 2014 was:

Big media is slowly but surely beginning to embrace the reality of how viewers consume their media: anywhere, anytime.

The most troubling development in the non-fiction content industry in 2014 was:

The pace of decision-making with networks. As a former buyer, I find this market to be shockingly slow. This is clearly due to increased scrutiny on creative executives, which is due to decreased ratings. But the problem isn't with the network execs – it's with measurement of audiences. Until networks solidify a monetization strategy for 'TV Everywhere,' producers and buyers will be saddled with a sluggish market.

If 2014 taught me one thing, it was:

It's a toss-up between two things: 1) Hunker down and adjust to a slower-moving marketplace, or 2) Eat less carbs. If forced to choose, the safe bet would be "eat less carbs," because this marketplace – and how viewers consume our stories – is changing faster than any of us can possibly imagine. What an amazing time to be making TV!



Tim Duffy of Ugly Brother Studios is a fan of A&E's *Dogs of War*.

The buzzword I don't want to hear in 2015:

It's more of a phrase: 'OK, let me talk to the team.' Creativity by committee kills creativity. In my experience, great ideas need champions, not group-think.

My New Year's resolution for 2015 is:

Continue to work hard and find great stories to tell. I still can't believe that we get paid to entertain people – every show we make is a blessing.

Jes Wilkins

Chief creative officer, Firecracker Films

My favorite factual program of the past year was:

The Paedophile Hunter: a stand-out Channel 4 documentary in every sense of the word. Makes other things I've seen this year feel bland and insignificant.

I never thought they'd make a program about:

What goes on in nightclub toilets (*Up All Night: The Nightclub Toilet*), but luckily Channel 4 did – because we made it!

In 18 months, no one will be talking about:

Poverty porn / benefits shows. There has been too much in the UK over the last 12 months.



The most troubling development in the non-fiction content industry in 2014 was:

People watching too much boxed-set drama. Are people falling out of love with factual?

The idea I wish I thought of from this past year was:

Gogglebox.

Channel 4's headline-grabbing *The Paedophile Hunter* was the top factual program of 2014 for Firecracker Films' Jes Wilkins.

The idea I'm most glad that I had this year was:

Quiz Nights – a very exciting, new, hybrid fact ent game show format launching on Sky1 in the UK early in 2015.

If 2014 taught me one thing, it was:

The viewing landscape is changing faster than any of us can imagine.

My New Year's resolution for 2015 is:

To come up with big new ideas that no one else has thought of yet.

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Charlie Phillips

Head of documentaries, *The Guardian*

My favorite documentary of the past year was:
20,000 Days on Earth

I never thought they'd make a program about:
Why poor people should be made fun of (AKA *Benefits Street*).

The doc people will still be talking about five years from now is:
Citizenfour.

In 18 months, no one will be talking about:
Festival premiere rules.

The most positive development in the non-fiction content industry in 2014 was:
More non-TV funding options.



Charlie Phillips gave his thumbs-up to the Nick Cave hybrid doc *20,000 Days on Earth*.

The most troubling development in the non-fiction content industry in 2014 was:
The continuing lack of equal numbers of women on and off screen.

The idea I wish I thought of from this past year was:
The Grayson Perry series [*Who Are You?*] on Channel 4.

The idea I'm most glad that I had this year was:
Starting my new job (although I also loved the last one).

If 2014 taught me one thing, it was:
People always moan about new things.

The buzzword I don't want to hear in 2015:
"Buzzword."

My New Year's resolution for 2015 is:
Write more for my vegan blog.

Annie Roney

Founder, *ro*co films*

My favorite documentary film of the past year was:
Particle Fever.

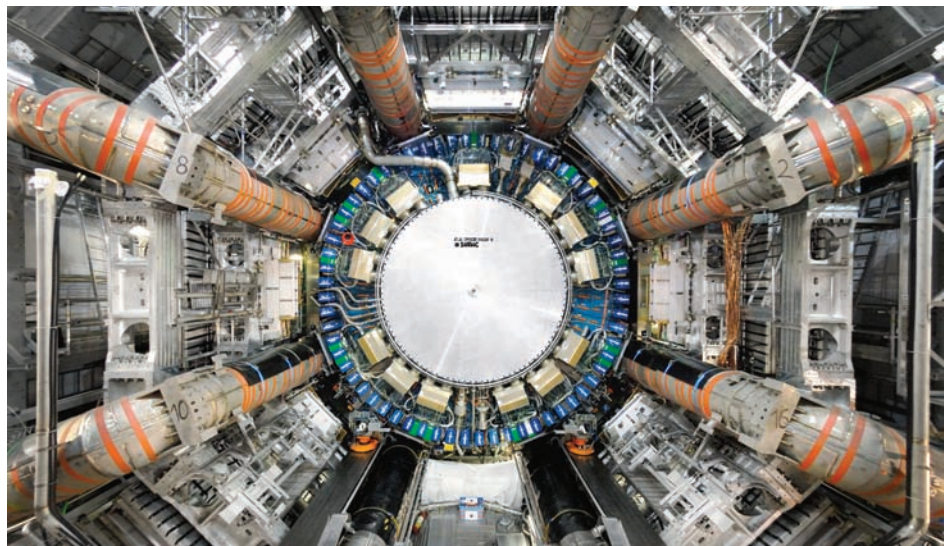
I never thought they'd make a program about:
Particle physics.

The doc people will still be talking about five years from now is:
Particle Fever.

In 18 months, no one will be talking about:
The 2014 Oscar shortlist.

The most positive development in the non-fiction content industry in 2014 was:
Netflix expanding into the rest of the world.

The most troubling development in the non-fiction content industry in 2014 was:
Netflix expanding into the rest of the world.



Particle Fever was tops on the list of this year's docs for Annie Roney.

The idea I wish I thought of from this past year was:
Hiring Hussain Currimbhoy.

The idea I'm most glad that I had this year was:
Launching Simple Cinema.

If 2014 taught me one thing, it was:
If you don't do it, no one else will.

The buzzword I don't want to hear in 2015:
"Impact."

My New Year's resolution for 2015 is:
Read more *realscreen*. •

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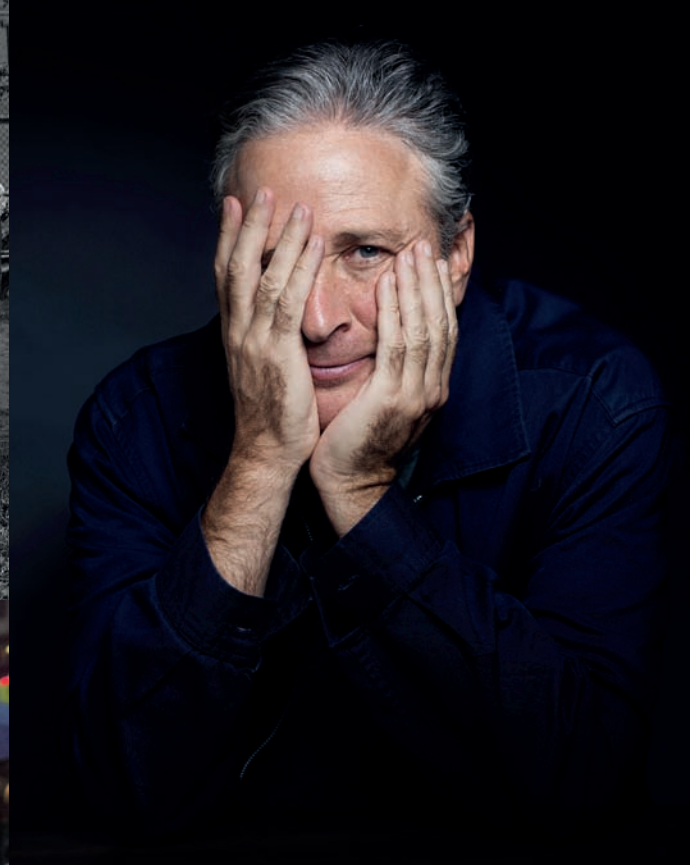
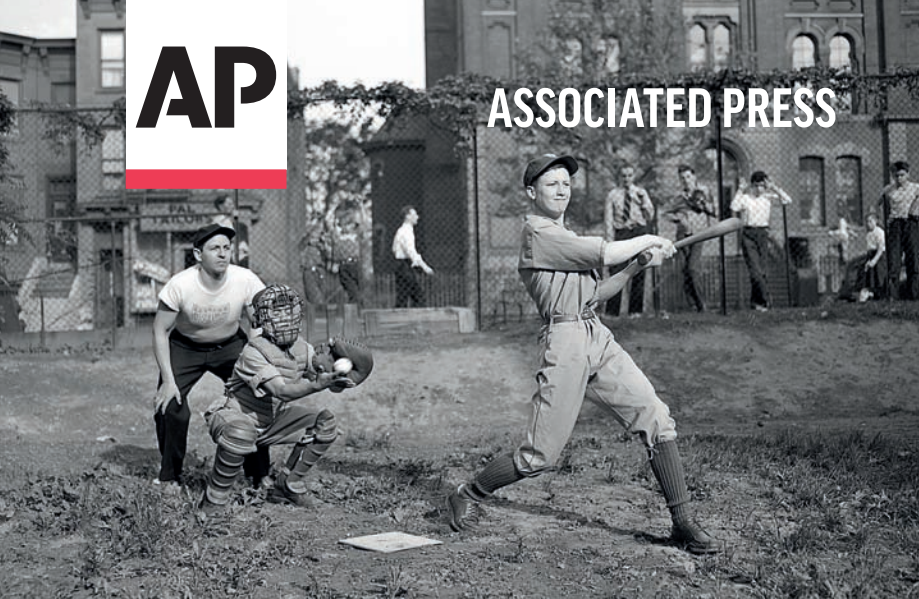


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DARING TO SHARE

Archive companies are cautiously courting online video platforms to drive sales. (Image courtesy Global ImageWorks)

BY KEVIN RITCHIE

With the advent of online video platforms, archive companies both large and small have had to decide how to approach using them to their advantage. But as many archive shops have found out, when it comes to protecting content and catalogs, the World Wide Web is still the Wild West.

The following request – or some version thereof – is a familiar one at footage houses. A director sends in a rough cut comprised of YouTube clips and asks a researcher to search for the exact source material or similar images.

For many researchers, an ideal scenario would be if the director came directly to the archives first but YouTube has become a starting point for documentarians in search of archival footage. In turn, as the Google-owned site has improved content owners' ability to police unauthorized copyrighted material, archives increasingly view the site as a tool to drive licensing.

In April, London-based company British Pathé made headlines by uploading its entire collection – 18,500 clips or 3,500 hours of footage – in high resolution on YouTube. The move was a bold step in a sector that has traditionally taken a cautious approach to YouTube and other video-sharing platforms.

The footage spans 1896 to 1976 and comprises newsreels originally shown in cinemas that updated filmgoers on major world events such as the First and Second World Wars and the sinking of the Titanic, as well as various less memorable but nonetheless filmic moments, such as a man

riding on lawnmower-powered roller skates.

"YouTube has gone from being the new kid on the block to the all-powerful media company where video is concerned," says Alastair White, the general manager of British Pathé. "And we obviously have to recognize that."

Although many archives have developed a YouTube strategy based around business-to-business licensing and marketing, their approaches vary. Major companies have formal YouTube channels that host pre-packaged clips of current news, such as Getty Images, or thematic cut-downs of historic footage pegged to timely news events or anniversaries, such as ITN Source. Others, such as AP Archive, have no formal presence as of yet.

British Pathé's entire archive is digitized and the company owns the rights to all of its footage. White noticed that traffic to the archive's site was around 17,000 visitors per day, a large number for the company but not sizeable enough to generate ad revenue that would justify a major redesign.

To make the content more accessible to its core clientele of film researchers, as well as members of the general public surfing the web, the company decided to post everything on YouTube. In addition to added revenue,

STOCK FOOTAGE AND ARCHIVE REPORT

the goal was to expand its client base to the advertising sector and overseas researchers. In June, the company also started selling directly to clients in North America, contributing to 50% growth in overseas business.

ITN Source is a commercial archive that represents news outlets such as ITN, Reuters, ITV, NBC and Fox News. The company has had a YouTube channel for nearly eight years that has attracted the general public. Over the past few years, it became more active in using YouTube for business-to-business marketing.

Initially, when the company began posting footage on YouTube, quirky and cute clips such as the Japan-shot "Snake befriends its hamster lunch in zoo" would go viral with millions of views. In part, the company wanted to take advantage of ad revenue around such clips.

The archive contains 500,000 clips, making it difficult for researchers when



ITN Source's "Snake befriends hamster lunch in zoo" clip went viral with millions of views.

reference number. If a researcher stumbles across the clip, they can easily identify and license it.

New Jersey-based Global ImageWorks is another stock house that has embraced YouTube to boost licensing revenue. Its collections include the long-running music TV series *Soul Train*, *The Dick Cavett Show*, *Austin City Limits* and cultural arts series

Omnibus, which aired in the 1950s and 1960s.

Between 20% to 30% of its collection is represented on the company's YouTube page, organized into thematic, three-minute demo reels based on specific collections or topics, such as travel, or the 9/11 terror attacks.

With more researchers using YouTube as a primary source, the goal is to ensure all stand-alone clips are watermarked and can be referenced back to the company, so they can easily be licensed.

a client sends a YouTube video with no information or watermark that must be eye-matched with ITN Source footage.

"You can imagine that's quite a painstaking process just to find out if we own that piece of content," says managing director Andy Williams. "That got us thinking that we had to use YouTube as a marketing and lead generation platform."

All clips on the channel have URLs that link back to ITNsource.com and a unique



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“Part of our strategy is to also be clear as much as we can, to make what’s out there that’s related to what we represent easy to find and easy to license,” says CEO Jessica Berman-Bogdan. “And to highlight our deeper content – the footage that is not yet fully digitized and not found through other sources, except exclusively through us.”

While Berman-Bogdan receives a lot of requests from the public to post specific *Soul Train* performances, for example, her primary goal is to drive licensing revenue among researchers so that money can be reinvested into digitizing more footage, a lot of which is still analog-only and costly to transfer.

Larger archive companies are also waking up to the potential for marketing opportunities. AP Archive does not yet have a formal YouTube channel although the Associated Press newswire regularly uploads news packages to the site.

“That’s something that will actually change pretty soon,” says Alwyn Lindsey, the director of international archives at AP Archive in London. “You will see a significant upload from us.”



Global ImageWorks is using video platforms to boost licensing revenue and reinvest in further digitization of clips.

The company has digitized 40,000 hours of historical footage that covers the Vietnam War, the Cold War, and various Middle Eastern conflicts, as well as sports, entertainment, fashion and culture news. The footage will be uploaded at a rate of six to eight hours per day and will belong to a

subset of wholly-owned footage available in the archive.

The strategy will be similar to the one employed by Global ImageWorks: capture business-to-business clients looking to license footage. In the past, execs felt that YouTube did not aggressively police material

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The March on Washington: Freedom Walkers, 28th August, 1963. Nat Herz / Photo © Barbara Singer / Bridgeman Images

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on the site, which meant users were able to embed AP-owned content without the company's permission.

"From our perspective the jury was out whether YouTube was a force for good or a force for bad in terms of our business," says Lindsey. "Our attitude is changing [because] YouTube has cleaned up its act from that perspective."

He specifically likes that YouTube has introduced thematic channels to give footage more context, upped the quality threshold for its video playback, and created both a tighter monetization strategy and process for flagging copyrighted material posted on the site without the proper clearance.

If copyrighted material is posted without permission, the content owner can use a feature called reference overlap playback that enables the owner to compare the master file against the video in question. However, videos containing multiple copyrighted works – including music licensed from a music publisher – are proving difficult for archives to manage on YouTube when caught by Content ID, YouTube's system for scanning copyrighted videos. This is creating headaches and extra work for footage houses, especially smaller ones with limited resources.

For example, if a channel enabled Content ID on an entire video without excluding legitimately licensed footage within it, that video can be flagged. Archives have differing experiences in resolving these types of situations.

"It's fairly easy to notify these companies or individuals of their error and equally easy to release ownership of the elements in question," says ITN Source's head of business development, Dan Mills. "Contacting the representatives is easy through the in-mail option or you can simply assert your copyright with one click, which gives the other side 28 days to respond, and if they don't, ownership

reverts to you anyway."

"Our policy when uploading music performance clips is to claim only the footage, never the audio. However, every time we dispute a claim against Global ImageWorks, the claim is always settled in favor of the music publisher or record label," explains Berman-Bogdan. "Again, there is no mechanism in place to rightfully handle this situation." Such issues have been a point of discussion among members of the Association of Commercial Stock Image Licensors (ACSIL). While

larger archives are able to police online video for copyright issues, smaller members complain that keeping track of activity across various platforms is distracting from their already stretched time and resources.

"It would be nice if we could ever speak to a human being at YouTube," says Historic Films president and ACSIL member Joe Lauro. "That's my goal."

Historic owns 50% of its library and the other 50% is licensed through exclusive arrangements with third parties. Thousands of hours are digitized and available to view in low resolution on the company's site and hundreds of clips are available via Historic's

YouTube channel, which Lauro says is not officially recognized by YouTube as a content partner, making it harder to dispute and respond to claims.

Its archive includes the music program *Don Kirshner's Rock Concert* and the American Pathé newsreels. Footage from both archives has been flagged for copyright infringements but Lauro says he has been unable to get in touch with a YouTube rep to resolve the claims and he cannot afford to hire staff to do it for him.

"We have millions of feet of footage. We have 40,000 musical performances. We have seven people that work here," he says. "Do you think we have the time to monitor all the illegal usages that are on that site? No."

A representative from YouTube contacted by *realscreen* did not respond to a request for comment by press time.

Similar discussions are happening internally across the footage world and the resulting mood seems to be one of resignation. No matter how big or small an archive, officially or unofficially its content will end up on YouTube.

"One of the debates we've had within the archive business is the extent to which having embeddable content on YouTube might cannibalize sales," says ITN Source's Alwyn Lindsey. "Would we miss out on traditional B2B, pay-to-use licensing from websites and newspapers that have a growing appetite for video? To some extent, yes. The flipside of that is more good will come of it than downside. You can't ignore the way the market is going."

"YouTube has gone from being the new kid on the block to the all-powerful media company where video is concerned."



London-based British Pathé made headlines in April by uploading its entire clip collection in high resolution onto YouTube.

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Crystal clear vistas, such as this shot from Artbeats, make 4K a focus for shooters and stock houses alike.

4K: Stocking up for the future

BY CARL MROZEK

Stock footage houses and their suppliers have been gearing up for the paradigm shift towards 4K content for the past several years, and while the current market may not be huge, with new players entering the 4K arena from multiple platforms, the 4K train is set to pick up steam in 2015. *Realscreen* investigates.

Stock footage agencies, their suppliers, and the manufacturers of 4K display and delivery technologies are united in their hopes that 2015 will be a breakthrough year in the demand for 4K content despite limited public pipelines for its delivery to viewers, especially via TV. To date, Direct TV's provision of 4K options on pay-per-view is the only way to receive 4K programming via a TV service in the U.S. à la carte. With the entry of Netflix, YouTube and Vimeo into the 4K arena, the menu is broadening.

Indeed, unlike during the transition to HDTV, the Internet is now better poised to offer an alternate delivery system for higher definition content and may well leave broadcasters far behind in terms of 4K programming. And it remains to be seen whether onboard support for hyper-efficient H.265 compression in the next generation of UHD TVs may spur more TV services to begin offering 4K versions of some movies and even TV programs, as in the early days of HDTV.

Despite these uncertainties, the 4K train has left the station. It's a local, however, not an express – making a lot of time-consuming stops en route – but it is on its way to delivering an ever increasing load of 4K+ content to a device near you. Stock

footage houses and their shooters are well aware of this and have been gearing up for the paradigm shift for upwards of five years, while continuing to meet current demands for mainly HD and SD images until 4K+ attains escape velocity.

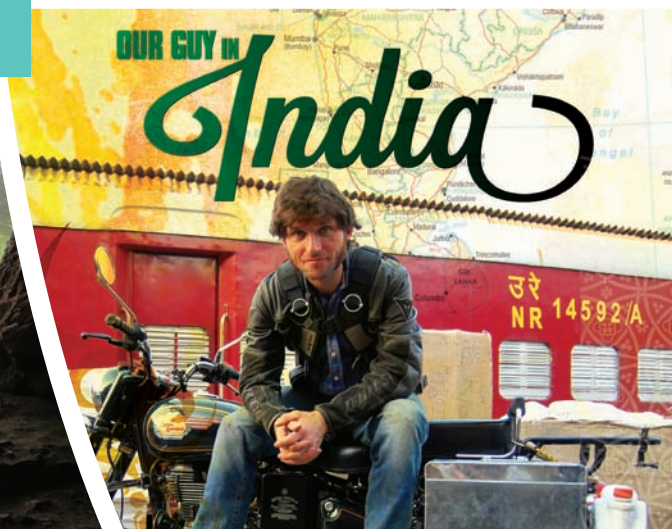
Volume-wise, Shutterstock is among the world's leading sources of 4K stock footage. "We're eager to get as much high-end 4K content as we can," says footage marketing manager Derick Rhodes. "We currently have over 70,000 contributors globally. Once we put the word out that we were making 4K available, many of them stepped up to provide it."

"We've been impressed by the diversity, quality and quantity of 4K submissions so far. We now have over 100,000 4K clips in our library, out of two million overall," he adds.

While late to the 4K party, Getty Images is catching up fast. "We've been building our 4K library in earnest over the past year and now have over 12,500 clips," offers Andrew Delaney, director of creative content. "There is a strong demand for aerials, time lapses and lifestyle subjects, and the bulk of our licenses are for feature films, TV ads and UHD TV makers. Our 4K library is growing fast, partly thanks to all the new



Art, Archaeology,
Anthropology, Agriculture



And a little bit of Geology.

cameras, many of them affordably priced.”

Artbeats, which uses a rights-free model for a significant portion of its business, has also plunged headlong into the 4K arena.

“We’ve been building our library in earnest for over six years and have shot a fair bit of it ourselves, particularly our specialties like aerials of New York and other major cities, and also of massive storms called supercells,” says Artbeats’ president and founder Phil Bates. “We have some of the only 4K tornado footage. The enhanced detail makes the footage extra engaging and attractive to producers of features, major TV spots, museums, trade show exhibits, et cetera.”

The theatrical film market is key for 4K at Footage Bank as well. “Increasingly, feature film producers are demanding 4K footage instead of HD, despite the premium price, now that it’s more available,” explains founder and president Paula Lombard. “Overall, it may comprise 10% of our business and is increasing slowly but steadily each year. Many of our clients simply want the highest resolution imagery possible. The same applies to many of our shooters, particularly of natural history.”

In fact, the burgeoning market for 4K stock footage, particularly

for Red RAW, has even spawned startup companies which specialize in it. Smaller stock houses, such as California-based Axiom Images, were actually formed to exploit the revolutionary imaging potential of the Red Camera line.

“We’ve been shooting 4K aerials since 2008 and launched our stock footage venture in conjunction with Red One coming to market,” says Axiom president C.J. Roy. “We’ve also been shooting 5K since 2012 when we got our first Red Epic. So far, 4K and 5K is paying off very well for us, despite the mounting storage costs. There’s a demand for both that keeps increasing all the time. Also, its shelf life is much longer than HD.”

Still, some shooters, such as Steve Gaetna of Rep Interactive, find that even with cheaper 4K cameras, shooting in the format for stock sales is not a viable business plan yet.

“Processing and storing the footage is a



Aerial footage shot in 4K, such as this shot from Footage Bank, is helping to drive demand for the format.

big drain on resources. We’ve got about 500 terabytes of storage for everything, and 4K’s large files require more computing power. It all adds up,” he says.

“We’re still selling HD clips that we shot in 2005. But, 4K is our new quality standard and we shoot 4K whenever we can.”

So where is the slowly increasing demand for 4K content coming from, in the absence of 4K TV?

“Most of our 4K demand comes from our scripted client base, mainly for feature films,” says Footage Bank’s Lombard. “We specialize in urban aerials and other establishing shots,

bundled with location releases, which can be tough and expensive to obtain in a hurry.”

Shutterstock, with one of the largest 4K libraries, sees technology and consumers boosting demand for 4K content. “4K Blu-ray players should be available soon and the 2015 holiday market should be flooded with 4K discs, and more and cheaper 4K TVs,” says Shutterstock’s Rhodes.

“A few 4K sports and entertainment channels would bolster demand further and perhaps trigger a major shift to 4K by broadcasters. Apple’s support of H.265 on the iPhone 6 and 6+ will also help.”

In order to better tap the current 4K market and an anticipated surge in demand for 4K+ in the year ahead, many stock companies are beefing up their uploading and delivery mechanisms to accelerate the processes. With the 4K train picking up steam, investments made in the content and its storage now will surely pay off in the near future.

“With Direct TV’s new 4K service and with Vimeo, YouTube and Netflix all offering 4K too, I see nothing but growth in all sectors for our expanding 4K-6K library, this year and next,” predicts Mammoth HD CEO Clark Dunbar.

“Even though the demand for 4K isn’t nearly as strong as the HD market, we encourage all of our main shooters to capture in 4K, 5K or even 6K, and to deliver in both 4K and HD,” says Footage Bank’s Lombard. “When 4K becomes mainstream their investment will pay off.”

And when it comes to TV, she adds, “unlike 3D, 4K is inevitable.” •

“A few 4K sports and entertainment channels would bolster demand further and perhaps trigger a shift to 4K by broadcasters.”

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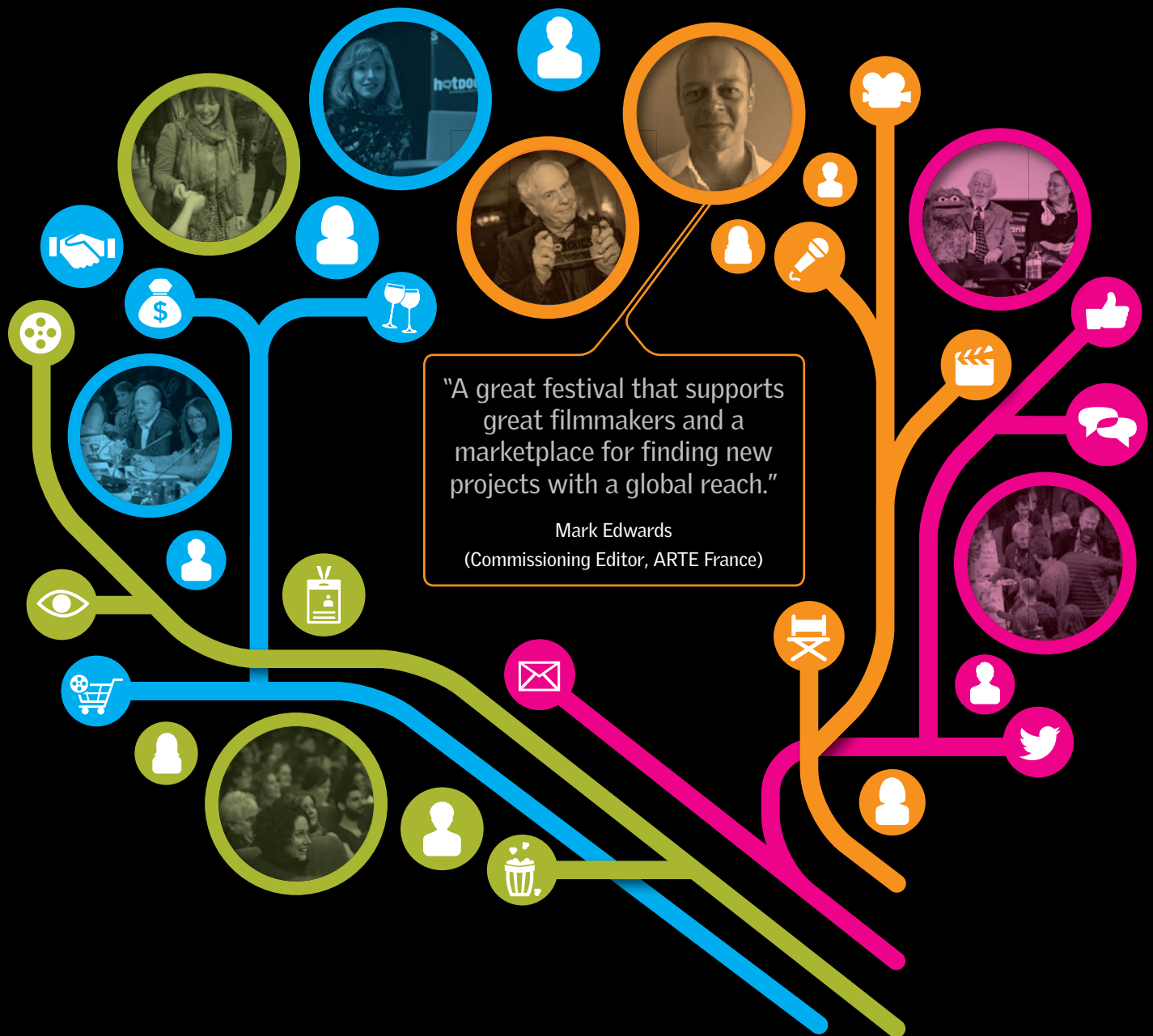
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One-stop shopping

BY NICK KREWEN

With casting becoming the make-or-break ingredient in so much unscripted fare, networks and production companies are increasingly looking at casting companies as collaborators, and the companies themselves are expanding their range of capabilities. *Realscreen* looks at the emergence and importance of the new model casting shop.

The concept of casting for reality used to be relatively simple, so to speak: find a character that is photogenic, has a personality that pops, throw them into some interesting situations and watch the magic unfold.

But as unscripted programming has evolved over the years – and public taste has also transitioned along with that evolution to favor more relatable personalities – so has a casting company's role in the eyes of a production company and/or network. Many network executives are finally realizing just how crucial strong casting is, and many are now recruiting that expertise for development inspiration, to the point of partnership.

“Pretty much the success of any show has to do with casting,” says veteran Sheila Conlin, president and CEO of The Conlin Company, whose 14-year résumé ranges from roles as producer of Fox’s *Kitchen Nightmares* and *Hotel Hell* to casting director for all 16 seasons thus far of Fox’s *Hell’s Kitchen*, all featuring charismatic and colorful celeb chef Gordon Ramsay.

“It’s become more and more important, and especially now with the networks wanting so much of the cast figured out before they even buy it.”

By contrast, Conlin recalls the origins of the U.S. version of *Hell’s Kitchen*, which she has worked on as casting director since the U.K. show’s arrival in America in 2005.

The new model casting companies are “not quite production companies, but they’re clearly not purely casting people at this point.”



“A lot of prodcos come to me and say, ‘We have this idea that we want to develop, but can we find these people?’”

“We had the format and our biggest challenge was, how were we going to adapt that format to the sensibility of the U.S. audience? That all came about based upon the people that we found. So that was a really fun process.

“Nowadays, a lot of production companies come to me and say, ‘We have this idea that we want to develop, but we want to know, can we find these people?’ So a lot of my work revolves around taking their idea and then going out and doing a sample casting: finding the people, and then putting together a casting sizzle reel, showing them the people that would make the show work.

“Production companies then take that to the network and say, ‘Here’s our idea and here are some people who will be on the show.’”

Eli Lehrer, Lifetime’s senior VP and head

of non-fiction development, agrees that casting companies are playing bigger roles when it comes to pitching ideas and becoming creatively involved.

“When I started doing this with casting producers, you were looking for something specific; you were casting competition shows – *Top Chef*, *Project Runway* – and you would go to them to beat the bushes and find people.

“More and more of these casting people are actually coming and pitching us directly with concepts – and more to the point, characters that they’ve uncovered. They’re sort of intermediary: they’re not quite production companies, and they’re clearly not purely casting people at this point.”

Danny Passman is founder of New York City-based Crybaby Media and is currently enjoying success with *Down East Dickering* (pictured), produced by Pilgrim Studios for History and cast and developed by

Crybaby, and is developing *Brainstormers* with Outpost Entertainment for The Weather Channel. He maintains his company has carved its own niche with its diverse approach.

“We’re very different from other casting firms,” explains Passman, a former development executive at VH1 and Fuse, and global head of programming for now-defunct Internet TV service Joost.

“Production companies pay us to develop projects for them on a monthly basis, where we’ll develop all sorts of talent-based ideas. Networks also pay us to go out and find specific areas and we find talent that fits those areas. Thirdly, we self-generate ideas,



“I’ve always approached what we do from a development perspective, as opposed to flat-out casting.”

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“Characters are the currency we all deal in with unscripted, so whoever has access to those characters has a very valuable commodity.”

sell them directly to networks and they partner with us for production.

“I’ve always approached what we do from the development perspective, as opposed to flat-out casting. There are a lot of casting people that go out there and find the families on *Love It Or List It*, or episodic casting – we don’t do any of that. We do the initial finding of the talent.”

Lifetime’s Lehrer says he welcomes such casting company diversity. “Characters are the currency we all deal in with unscripted, so whoever has access to those characters has a very valuable commodity. We’re finding casting companies are bringing us these characters on an increasingly regular basis.”

How each casting firm finds that all-important talent to exploit an idea usually includes a lot of social media, Skype, and more conventional means of contact and communication.

“We don’t have a Rolodex that we’ll just e-mail,” says Passman, who also brought *Thieves, Inc.* to Food Network in 2013. “We cold call. We Google search. I call it ‘rabbit hole’ testing, because you go down one rabbit hole, and then you end up in another. You’re usually down in a bunch of deep rabbit holes when something pops up. So it’s all about trying to reach as many people as possible.”

Both The Conlin Company and Crybaby Media bill themselves as full-service creative development and packaging shops, with Crybaby Media’s six-member staff including two directors of development.

Different projects call for different levels of involvement. In those cases where the show has originated from a prodco, a network or a combination thereof, the process of finding the people

who bring the idea to life – the cast – can get shortchanged in terms of time and resources. On her end, Sheila Conlin says she usually interviews between 2,000 and 3,000 people per project, and says the amount of time that should be allotted to cast a show properly is much different than the time she often ends up with.

“When a production company and a network lock down their deal, business affairs takes so long to finish the terms that casting is left with four weeks at the most – and sometimes as little as two weeks – for what should be a 12-17 week process for putting on the show,” says Conlin, currently working on the resurrection of Fox’s *Are You Smarter Than a 5th Grader?*

“Unfortunately, casting can’t start until the deal is done,” she adds.

Ultimately, if a great idea is married to a great cast, the project should find its audience. If one company can provide both, effectively acting as a one-stop shop for development, casting and possibly execution, so much the better. But as Fay Yu, director of development and executive producer at Destination America points out, finding the right character helps the rest of the equation fall into place easier.

“It seems that the audience appetite has been less about process or format and more about just seeing real people,” Yu explains. “If you can’t find the right person, it isn’t worth it to make a show around them.”

With files from Barry Walsh •

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Look for more local versions of *Kitchen Nightmares*, made a sensation by chef Gordon Ramsay.

EUROPE TO HAVE MORE KITCHEN NIGHTMARES

Networks across Central and Eastern Europe (CEE) have picked up the format rights to *Kitchen Nightmares* from distributor Optomen International.

The reality show follows celebrity chef Gordon Ramsay as he spends a week with troubled restaurateurs to help turn their businesses around.

Nova in Bulgaria, Pro TV in Romania and TV2 in Hungary have ordered their first local versions of the format. Meanwhile, TVN in Poland has ordered a ninth local season and Prima in the Czech Republic ordered a fifth season.

The deals bring the number of localized versions of *Kitchen Nightmares* set to air around the world to 35.

TVN has also ordered the first season of Ramsay-fronted UK series *Hotel Hell*.

Over the past three months, Optomen has sold other Ramsay shows such as *Gordon's Great Escape*, *The F Word*, *Gordon's Healthy Cooking*, *Gordon's Ultimate Cookery Course*,

Gordon's Ultimate Christmas, *Gordon's Home Cooking Seasonal Selections* and *Gordon Ramsay Cookalong* to networks in the region.

The company has also inked deals for *Heston's Feast* with networks in Russia, the Baltic states, the Czech Republic and Romania, as well as several other food-centric series.

"This unprecedented level of sales activity is not just the result of our focus on CEE in the wake of strong interest at MIPCOM," said Optomen International's director of sales, Caroline Stephenson, in a statement. "It also points to the region's growing enthusiasm for high-end factual entertainment programming."

Additionally, AMC Networks picked up Kevin McCloud's *Man Made Home* and *Kevin McCloud: Homes in the Wild* for Hungary, the Czech Republic and Slovakia. *Brendan's Love Cruise* and *Superior Interiors* have been picked up by Pro TV for Romania. **Kevin Ritchie**

FYI SPINS OFF MARRIED AT FIRST SIGHT

An American *Married at First Sight* spin-off, *Married at First Sight: The First Year*, is making its debut on FYI.

The 8 x 60-minute series premiered on the A+E net on January 13. The spin-off follows couples Jamie and Doug, and Cortney and Jason, at the six-month-mark of their marriages through the March 15 mark of their first anniversaries, with each pair receiving advice from first season specialists Dr. Logan Levkoff, Dr. Joseph Cilona and Dr. Pepper Schwartz.

Married at First Sight: The First Year is produced for FYI by Kinetic Content, with Christopher Coelen and Brenda Coston serving as exec producers for Kinetic, and Gena McCarthy and Liz Fine fulfilling the same roles for FYI.

In related news, Munich-based distributor Red Arrow International has sold the first 13 x 45-minute season of the U.S. version of *Married at First Sight* to Italy's Sky Uno, Sweden's SVT, Norway's SBS Discovery, Finland's MTV Oy and Germany's ProSiebenSat. 1 sixx.

Created by Snowman Productions for Denmark's DR3, the FYI season finale of the U.S. version of *Married at First Sight* was the most watched telecast in the history of the channel, including when it was branded as Bio, with the second season of the reality program experiencing the same nightly results on DR3. **Nick Krewen**

OXFORD SCIENTIFIC FILMS APPOINTS HEAD OF POPULAR FACTUAL

Twofour Group-owned, UK-based producer Oxford Scientific Films (OSF) has named Emma Morgan as its head of popular factual, in a push to move the company into broader factual programming.

Morgan – who previously served as creative director of Watershed TV – will focus on OSF's returning series and specials in the factual space. Her appointment is intended to help the *Secret Life of Dogs* producer broaden its scope and move beyond its traditional specialist factual base into more documentaries and formatted shows.

Prior to her work at Watershed TV, Morgan served as director of development and executive producer at Mentorn Media, where her credits include *The Fried Chicken Shop: Life in a Day* (Channel 4), *Hotel of Mum and Dad* (BBC3) and *Gregg's: More Than Meats the Pie* (Sky1).

Between 2003 and 2010, the exec was head of development and exec producer at Twofour Broadcast, where she helped develop *My Hoarder Mum and Me with Jasmine Harman* (BBC1) and *Choccywoccydoodah* (UKTV Food).

"Emma is a rising star and she joins us at an exciting time with the company firmly on a growth trajectory," said Clare Birks, chief executive at OSF, in a statement. "She has a passion for factual programming and a great track record in developing exciting ideas across a range of channels." **Manori Ravindran**



I Can Do That! challenges celebrities to spontaneously perform unique challenges.

ROMANIA, MEXICO SIGN UP FOR *I CAN DO THAT!*

Israel's Armoza Formats has secured two more commissions for its competitive celebrity variety show *I Can Do That!*

Romania's Antena 1 and Mexico's Azteca have both acquired the rights to the format, with Antena 1 scheduled to commence production in February for a spring 2015 broadcast in a weekly Sunday time slot.

The program was also recently renewed for a second season by Italy's Rai Uno and Brazil's Rede Record, and is currently in production in 15 countries.

The show challenges celebrities to spontaneously perform unique live challenges.

"We are thrilled to see *I Can Do That!* continue to grow and extend to the CEE region," said Armoza Formats' CEO Avi Armoza in a statement. "We are happy to be marking our first partnership with Antena 1."

In other Armoza Formats news, Brazilian network Globo has picked up the live game show format *The People's Choice* from the format developer and distributor.

The channel will begin airing a 13-episode season of the series during primetime next year.

The format was developed by Armoza and TF1 and is based on a series of dilemmas such as, would viewers prefer to go a week without showering or a week without a smartphone? Viewers at home then cast votes and contestants in the studio must guess the decision they chose in order to win cash prizes.

Armoza launched the format at MIPCOM last fall and has since sold it to broadcasters in Germany, Italy, Sweden, Turkey, Thailand and Vietnam.

"The Lat Am region, and Brazil in particular, is one of our key focuses for 2015 and we are proud to be extending our reach there," said Avi Armoza. "The show revolves around a very strong but simple idea of being able to compare ourselves to each other and seeing how well we know our nation, creating a live TV event with ultimate buzzworthy discussions."

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WHOSE IDEA IS IT *anyway?*

Idea theft claims are rife in the television industry, and now more than ever, production companies and networks need to know more about how to protect themselves against them. Here, entertainment lawyer Nicole Page offers practical suggestions on how to guard against such claims, and protect your IP in the process.

I am often asked, “Why do I need to sign a submission release before a network or production company will hear my pitch?”

The simple answer is because of the potential for a claim of idea theft. The TV industry is replete with stories of the stolen idea and no broadcaster or producer wants to get sued.

When it comes to understanding the concept of idea theft, there is a key distinction to be aware of out of the gate, and that’s the difference between copyrightable materials and ideas. Under U.S. Copyright Law, ideas are not protectable. Instead, it is only the expression of an idea in a fixed, tangible medium that is deemed worthy of protection under the Copyright Act. Specifically, while an idea for a series about survivalists is not eligible for copyright protection, a written proposal for a series like *Survivor*, embodying original elements and a unique format, is protected by copyright.

While copyright claims are based on a copying of intellectual property (i.e., an original screenplay) and are governed under federal copyright law, idea theft claims are state law breach of contract claims. An idea theft claim might come into play when, for instance, a producer meets with a development executive to pitch a project, the executive passes and then a suspiciously similar series appears on the air. In some cases that exact situation could give rise to a claim of idea theft. In general, if one believes his or her idea has been stolen and seeks to allege a claim of idea theft, that person would need to show that a) he or she met with or submitted a concept to a network or production company with the understanding that if the idea from the pitch was used, that person would receive compensation; b) following the meeting, the

complainant’s idea or a substantially similar version of it is used without his or her consent and without compensation.

In a case that terrified networks and prodcos alike, NBCUniversal (NBCU) and Pilgrim Films & Television were sued for idea theft in connection with the Syfy series *Ghost Hunters*. The litigation went on for more than seven years and during that time, the Ninth Circuit ruled that if the plaintiffs pitched their concept understanding that there was “an implied promise” that the defendants would partner with them on development, the plaintiffs should be allowed to proceed with their idea theft claims. That 2011 decision set off shockwaves through the entertainment industry. Fearing an avalanche of such claims, NBCU attempted to appeal to the U.S. Supreme Court, which declined to hear the case.

Throughout, Pilgrim CEO Craig Piligian maintained that neither he nor anyone else at Pilgrim had ever even met the plaintiffs, and that he’d independently created and developed the idea for *Ghost Hunters* several years prior. Subsequently, the trial court acknowledged there had been no communications between Piligian/Pilgrim and the plaintiffs, regarding the show concept or otherwise, and the prodco and its CEO were dismissed from the lawsuit.

The case was dismissed by the California Appeals Court in April of 2014 on statute of limitations grounds. But the legal basis for idea theft claims in California persists.

There are clear occasions under which an idea theft claim will fail; for instance, if the network or producer being pitched has not asked to hear the pitch. For example, if while at a television conference, you bump into a development



As a production company, the last thing you want is to sell a series to a network only to have someone come out of the woodwork, claiming ownership of the concept.

executive and before the poor woman has a chance to even register who you are, you spew out your elevator pitch, and later her network broadcasts a show similar to your pitch, your idea theft claim will not succeed. There must be a “meeting of the minds” between you and the person you are pitching that your concept will not be used without compensating you. Without that mutual understanding, no contract has been created; thus, no contract can be breached.

To be clear, an actual written agreement is not necessary. Under the law, it is enough that what is known as an implied-in-fact contract exists. As long as both parties understand that the purpose of a pitch meeting is that if the potential buyer uses the seller’s concept, the seller will be compensated, an implied-in-fact contract will be deemed to exist.

This underscores the broadcaster submission release requirement. Says VH1’s Seth Levin, SVP, business affairs and deputy general counsel: “Idea theft is an issue we take very seriously and for that reason our general policy is to not accept unsolicited ideas. We counsel our development execs to be very upfront in their discussions with producers and to articulate that we may already have similar shows in development.”

Also, an idea must have at least some degree of originality. If your pitch to a net is “a show about living off the grid in Alaska,” and the network later airs *Alaska Bush People*, you are out of luck. But if you present a more detailed pitch such as: “a show about a family of little people who live off the grid on Alaska’s last remaining glacier, befriend polar bears and conduct makeovers on the locals” (don’t steal that one!), you would have

a better chance at stating an idea theft claim if the net you pitched then airs an almost identical show.

In my practice, I have found idea theft in non-fiction TV to be very problematic. It is the nature of the business that producers and development executives work at many different production companies or networks over the course of their careers. It is not uncommon for freelancers to work at three or four different companies in any given year. So where did an idea come from and who owns it? This question has to be carefully considered in every instance. As a prodco, the last thing you want is to sell a series to a network only to have someone come out of the woodwork claiming ownership of the concept. Networks do not want to be the target of lawsuits and will avoid proceeding with a concept if there is a cloudy chain of title – meaning, it’s unclear who originated the concept and who actually owns it – in order to insulate themselves from liability.

While you can never completely protect against lawsuits, here are some tips that will help minimize the risk of an idea theft claim:

Document independent creation...

Independent creation is a defense against idea theft. If a claim is made and you are able to show that your concept was created independently of any idea submitted by a third party, an idea theft claim can be defeated. Independent creation can be shown in different ways, such as in email correspondence that could demonstrate how and

when you first came up with the show’s concept. **...And put it in writing.** Production companies should seek to prevent a situation where someone who has worked for them later claims ownership rights in a project developed while the individual was working with the company. If you are engaging independent contractors, have those individuals sign “work for hire” agreements that clearly state that any projects created while the individual is working for the producer are owned exclusively by the production company.

I’ve worked with too many producers who have found themselves on the other side of one type of frivolous claim or another. The gatekeepers are more and more fearful of accepting pitches from anyone without a lawyer or an agent. That limits the pool of producers that networks will buy from and makes it more difficult for less established producers to break through.

While no one wants to see the fruits of creativity and hard work taken without compensation, I am not sure that idea theft claims are the answer, and certainly, the threat of expensive litigation creates a general chilling effect that is likely of no benefit to anyone.

Nicole Page is head of entertainment and media law at Reavis Parent Lehrer LLP, and an independent TV and digital content development consultant.

Back this Fall



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CHECKLISTS THAT KILL

Pitches come from all corners in the unscripted television industry, and while many miss the mark, some hit the bull's-eye, and others might be diamonds in the rough. But in the case of the latter, is the filtering process weeding out potential hits? Bruce David Klein, president and executive producer of New York-based Atlas Media Corp, weighs in on the benefits and drawbacks of the Almighty Development Checklist.

Over the course of the past year – on panels, in hallway conversations, at off-sites – the overriding topic of conversation among producers and network execs has been: “What the hell is happening to the factual/reality business?” The news is seemingly grim: per Nielsen, of the current “top 10” non-fiction cable programs, not a single one was launched in the last two years. Even in the realm of supposedly low-risk “meat and potatoes” programming, fewer shows are working than in the past. Why?

We talk about the glut of unscripted shows, the derivative nature of many shows, the cord-cutting, the Netflix factor, the changing times and reality TV ennui. But also being dissected is the development process in the industry as a whole (at networks and our own prodcos) which some believe has become an overly aggressive filter, weeding out potentially successful shows.

Are “checklists” killing the hits?

While the development process is by

nature expensive, somewhat inefficient and very “Wild West,” it is, of course, the only way to sift through the 50 to 75 ideas and pitches a week that our development team juggles. (Props to our network friends who have to juggle hundreds a week!) Clearly there are “pure crap” pitches that need to quickly be filtered out of the pitchosphere. There are also plenty of “nearly crap” pitches that should quickly, and rightfully, be put out of their misery. The trouble is when we get closer on the scale to the “viable pitch” category – pitches that are solid, well thought-out, and are just as likely as anything else to break out. These are the strong pitches that, thanks to the quality of talent or a truly original format twist, feel fresh and exciting in the room. Unfortunately, many of these strong pitches that get big, positive, initial reactions get filtered out of the system due to The Checklist.

Let's take a theoretical “strong pitch” about Hawaiian loggers pitched to a production company or network. On the next page... Cue The Checklist.

Is the cast perfect in look, presence, demo, gender, accents?



Has the world of loggers done well with viewers? What about Hawaii?



Are the stakes higher than previous logging shows?



Is the format fresh and loud enough?

For networks: Is it on brand? Will it play on a billboard? Is it ad sales-friendly?



For prodcos: Is anyone looking for loggers? Is it too expensive to shoot in Hawaii? Didn't a similar logging show bomb last year? Does my agent like it?



Checklists are helpful and can weed out bad shows, but there are undoubtedly potential hits dying on the vine.

Granted, all of the above are extremely valid considerations when you are thinking about investing precious time and resources to develop and pitch a project or to invest millions of dollars to produce it. In that sense, The Checklist works. But does it sometimes work too well? Could there be a hit out there with a perfect cast, with high stakes, and that isn't exactly on brand, but might become a hit and in turn, end up defining the brand? Or a hit with an amazing cast, and a strong format – but with modest stakes – that somehow connects with an audience?

Of course, production companies are as guilty as networks. While we all have tremendous passion for the shows we pitch, and can spend months or sometimes years on our pet projects, the hard fact remains: we need to sell shows to keep the lights on. And so, we too become victims of The Checklist, perhaps filtering out otherwise impressive shows we don't think a network will want because "they don't want makeover shows" or "they don't want talent with New York accents."

To be clear: the issue is not with The Checklist itself, but rather, with what some have called the "10 out of 10" syndrome – the decision to not develop a show unless 10 out of 10 boxes are checked.

If we could all take a tour of the massive graveyard of sizzles that never made it, we would no doubt be amazed. All those good ideas that had the bad fortune to have checked only seven or eight out of 10 boxes – which ones could have been hits?

Checklists are helpful and serve to weed out crappy shows, but there are undoubtedly potential hits that are dying on the vine – ideas, formats, and casts that are not given a chance to benefit from the industry's amazing development process, and killed before their time because they committed an unpardonable sin: they didn't check all the boxes on the checklist. Perfection is unattainable – in life, and most certainly, in television. So why not kill the urge to check every box and take more chances on projects that we just like because... well, because we just *like* them, with or without 10 checkmarks. •

AND ONE MORE THING

CODING for BEGINNERS

BY ADAM BENZINE

Though best-known for her role as Britta Perry in comedy series *Community*, and soon to appear in HBO drama *Girls* and Netflix comedy *Love*, 32-year-old actor Gillian Jacobs is also trying her hand on the other side of the camera, making her debut as a director with the short documentary *The Queens of Code*.

The 15-minute-long film forms part of 'Signals,' a series of digital shorts from FiveThirtyEight and ESPN Films. Premiering on fivethirtyeight.com on January 28, the doc focuses on the late computing pioneer Grace Hopper and her female contemporaries, and aims to shine a light on an underrepresented chapter in the history of computer science.

This is your first documentary.

How did the commission come about?

I had met Dan Silver [senior director of development] from ESPN Films, and he and I were on a panel together at the Tribeca Film Festival – we just started a conversation about various ideas I had for '30 for 30' pieces. None of them were quite right for ESPN, but several months later he approached me about doing this piece on Grace Hopper for FiveThirtyEight.

Were you aware of who Hopper was at the time?

No, I'd never heard of her, I didn't really know anything about those early computers during World War II, and I didn't really understand any of her accomplishments when I read the one-sheet they sent me about her.

How did you approach making the film? Who have you interviewed?

I was able to speak with both Kathleen Broom Williams and Kurt Beyer, who both wrote biographies of her. I was also able to go to the Grace Hopper Celebration

of Women in Computing this year and speak to a wide variety of women who are either very accomplished in their field, like Megan Smith, the chief technology officer of the United States, or women like Kathy Kleiman, who has done her own documentary about the women of ENIAC [the first electronic, general-purpose computer].

And then I'm trying to pull together as much archive footage as I can, whether it's from ABC News, or working with universities like Harvard or Vassar, or places like the Hagley Museum. Also I've found things in the public domain: consoles that she worked on in the 1950s, images... I've contacted the Navy to get her naval records... trying to do as much as I can to get as many images and videos as I can.

Do you think this short will come as a surprise to people?

I'm sure for people who know me from *Community* it might come as a surprise, but I think anyone who knows me knows that I've always had an interest in these kinds of topics. I tend to bore the people around me on set and in life in general by reciting the things I heard on NPR or read in *The New Yorker*, or in books... I've always had an academic bent, I guess.

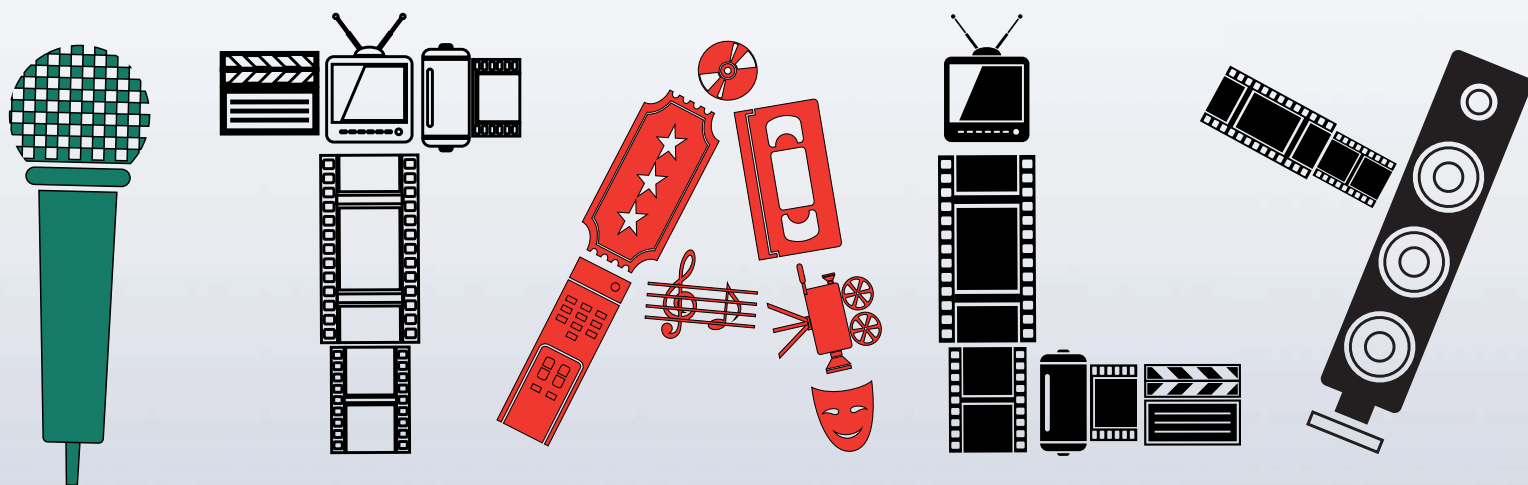
I went to an acting conservatory that didn't really offer me a liberal arts education, and I found myself just reading novels on my own. I've always wanted to try and keep the other parts of my brain as stimulated as possible [laughs] – I think it'll hopefully make me a better actor as well, but it's really fun to stretch myself.

Are you enjoying the experience?

Oh yeah, greatly. I think that trying to work within limitations is creatively exciting sometimes, so trying to seek out those puzzle pieces of, 'Oh God, we really could use an image here to illustrate this' – I enjoyed hunting those down. Sometimes you have to get creative to either get to people, or to get them to help you, and I enjoy all those aspects of the process. It's fun. •



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